



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:29 P.M. in Council Chambers Conference Room of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

PRESENT: CHAIRMAN CRAIG GALATI, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS MICHAEL BUCKLEY, STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN AND STEPHEN QUINN

STAFF PRESENT: ROBERT GENZER - PLANNING & DEVELOPMENT DEPT., JOHN KOSWAN - PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., ANDREW REED - PLANNING & DEVELOPMENT DEPT., LAURA MARTIN - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, QIONG LIU - PUBLIC WORKS, DAVID GUERRA - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, DOREEN ARAUJO - CITY CLERK'S OFFICE, AND LINDA OWENS - CITY CLERK'S OFFICE

MINUTES:

ANDREW REED, Planning and Development, called the Briefing to order at 5:29 P.M.

ITEM 7, GPA-0018-02:

MR. REED began by saying this is a General Plan Amendment located in the Las Vegas Wash south of Harris Avenue. The applicant has requested this item be withdrawn without prejudice.

ITEM 8, Z-0041-02, ITEM 9, Z-0041-02(1), ITEM 10, Z-0054-02, and ITEM 11, Z-0054-02(1):

MR. REED said that in regard to these items, this property is located near Bonanza Road and the Las Vegas Wash. The applicant is revising these applications and has requested they be held in abeyance until 9/12/2002.

ITEM 18, U-0071-02, and ITEM 19, Z-0108-88(15):

MR. REED stated these items involve a request for a Wal-Mart store at Craig Road and Jones Boulevard. The applicant has requested these items be held in abeyance until the 9/12/2002 Planning Commission meeting in order to address concerns that were raised at a neighborhood meeting.

City of Las Vegas

PLANNING COMMISSION MEETING OF AUGUST 8, 2002 Planning and Development Department BRIEFING

MINUTES – Continued:

ITEM 22, U-0064-02, and ITEM 23, Z-0045-94(8):

MR. REED announced that these items involve a garage at Lake Mead Boulevard and Torrey Pines Drive. A related Extension of Time of the zoning district was considered by the City Council at their 8/7/2002 meeting, but was held in abeyance until their 9/4/2002 meeting. If the Planning Commission considers these two items at this meeting, they could also be placed on the Council agenda for 9/4/2002. However, if the Planning Commission prefers to have the Council take action on the Extension of Time before considering Item 22 [U-0064-02] and Item 23 [Z-0045-94(8)], then the item should be held in abeyance until 9/12/2002.

ITEM 24, Z-0042-02(1):

MR. REED noted that this application involves property off of Cliff Shadows Parkway. The related rezoning was withdrawn without prejudice at yesterday's City Council meeting. Therefore, staff would like to have the Site Development Plan Review stricken from the agenda.

ITEM 25, VAC-0051-02:

MR. REED said this item is related to the Mountain Spa development. It should be moved forward to be heard in conjunction with Item 13.

ITEM 30, Z-0055-02(1):

MR. REED noted that this item is a Site Development Plan Review for a proposed subdivision at Elkhorn Road and Jones Boulevard. The applicant has discovered that there are some drainage issues, which will require a major redesign of the site. Therefore, the applicant has requested this item be held in abeyance until the 9/12/2002 Planning Commission meeting. However, they would like to have the related rezoning, Item 29 [Z-0055-02], go forward at the meeting tonight.

ITEM 42, U-0087-02:

MR. REED said this item is a Special Use Permit for bailbonds on Bonneville Avenue. The applicant has requested this item be tabled.

ITEM 53, Z-0020-97(37):

MR. REED announced that the applicant has requested this item be withdrawn without prejudice.

ITEM 55, TA-0007-02:

MR. REED stated this Text Amendment is in regard to the Town Center Landscape Standards. Staff would like to have this item held in abeyance until the 8/22/2002 Planning Commission meeting.

City of Las Vegas

PLANNING COMMISSION MEETING OF AUGUST 8, 2002 Planning and Development Department BRIEFING

MINUTES - Continued:

ITEM 1, TM-0047-02:

DAVID GUERRA, Public Works, noted that a condition was added to include the circulation for Fire Services.

ITEM 15, Z-0037-02:

MR. GUERRA said Condition 7 was deleted which involved improvement of the public sewer system.

ITEM 52, VAC-0054-02:

MR. GUERRA noted that a condition was added which would retain appropriate radii at the northeast corner of Thirteenth Street and Lewis Avenue and Fourteenth Street and Lewis Avenue.

ITEM 3, TM-0049-02, and ITEM 4, TM-0050-02:

BART ANDERSON, Public Works, added that the applicant has met with Public Works staff to discuss some of the deviations from standards that the applicant is requesting. Public Works has allowed some of those deviations. The applicant has expressed a desire to continue working with staff on a couple of other deviations. That should not have any impact on this agenda. The deviations can be worked out with the City Engineer, but the applicant may raise the issues at this meeting.

BRIEFING ADJOURNED AT 5:36 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S WEBSITE AT www.ci.las-vegas.nv.us. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING TUESDAY AT MIDNIGHT AND 9:00 AM AND THURSDAY AT 6:00 PM.

PLEDGE OF ALLEGIANCE was led by COMMISSIONER EVANS.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

PRESENT: CHAIRMAN CRAIG GALATI, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS MICHAEL BUCKLEY, STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN AND STEPHEN QUINN

STAFF PRESENT: ROBERT GENZER - PLANNING & DEVELOPMENT DEPT., JOHN KOSWAN - PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., ANDREW REED - PLANNING & DEVELOPMENT DEPT., LAURA MARTIN - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., MARIA BITTNER - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, QIONG LIU - PUBLIC WORKS, DAVID GUERRA - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, DOREEN ARAUJO - CITY CLERK'S OFFICE, AND LINDA OWENS - CITY CLERK'S OFFICE

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002**

CHAIRMAN GALATI announced that this will be the last meeting for COMMISSIONER BUCKLEY on the Planning Commission as his term will expire on 8/19/2002. It was in 1994 that he was appointed to the Planning Commission. He served as the Chairman of the Planning Commission in 1999 and 2000 and Vice Chairman in 1998. The Commissioners have learned a lot from him so he will be missed. (Everyone in the attendance stood and applauded.) He was presented with gifts from the Commissioners. ROBERT GENZER, Planning and Development, presented COMMISSIONER BUCKLEY with a bag of trinkets.

COMMISSIONER BUCKLEY thanked everyone and said it was a pleasure working with staff, and the Commissioners. Some of the staff members have been associated with the Planning Commission since he started. There have been a lot of changes during his tenure, such as changes to the Zoning Ordinance, new Subdivision Ordinance, new Sign Ordinance, Master Plan for the northern part of Las Vegas, 20/20 Plan, Downtown Plans, Landscaping Design Standards, and Board of Zoning Adjustment abolished. However, what has not changed is the process. He recalled an item in the past where one gentleman had appeared on a General Plan Amendment. The Planning Commission listened to him and voted in his favor, so it takes only one person. He added that he appreciates the citizens who come to these meetings.

His name plaque was presented to him at the conclusion of the meeting.

SUBJECT:

Approval of the minutes of the July 11, 2002 Planning Commission Meeting.

MOTION:

TRUESDELL – APPROVED with ITEM 7 amended to indicate that George Garcia should not be indicated as Attorney George Garcia - UNANIMOUS

MINUTES:

There was no further discussion.

(6:11 - 6:12)
1-340



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

CHAIRMAN GALATI announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN GALATI read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

CHAIRMAN GALATI noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TM-0047-02 - NEVADA HOME GROUP, INC. - DAY DAWN ESTATES - Request for a Tentative Map for 39 lots on 7.90 acres located adjacent to the northwest corner of Buffalo Drive and Gowan Road (APN: 138-09-601-013 - 018), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED Item 1 [TM-0047-02], Item 2 [TM-0048-02] and Item 5 [Z-0058-00(3)] subject to conditions - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

There was no discussion.

(6:37 – 6:38)
1-1185

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area covered by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 1 – TM-0047-02

CONDITIONS – Continued:

2. All development shall conform to all conditions of approval for Rezoning (Z-0097-01), Site Development Plan Review [Z-0097-01(1)], and Variance (V-0095-01) of Open Space Standards.
3. In accordance with Section 19A.06.040(G) of the Las Vegas Zoning Code, all landscape planters and open space shall be platted as Common Elements, unless specifically waived by City Council.
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
9. Public drainage easements must be common lots to be privately maintained by a home owner's association or maintenance association for all public drainage not located within existing public street right-of-way.
10. Site development to comply with all applicable conditions of approval for Z-0097-01 and all other site related actions.
11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002

Planning and Development Department

Item 1 – TM-0047-02

CONDITIONS – Continued:

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TM-0048-02 - MIRA VILLA - WESTMARK HOMES - Request for a Tentative Map for 240 units on 22.34 acres located adjacent to the south side of Canyon Run Drive, approximately 1,300 feet west of Rampart Boulevard (APN: 138-29-401-003), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED Item 1 [TM-0047-02], Item 2 [TM-0048-02] and Item 5 [Z-0058-00(3)] subject to conditions - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

There was no discussion.

(6:37 – 6:38)

1-1185

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area covered by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 2 – TM-0048-02

CONDITIONS – Continued:

2. All development shall comply with all applicable conditions of approval for Rezoning (Z-0044-87), Summerlin Village 3 Development Plan Review (SV-0001-95), Site Development Plan Review (SV-0005-02) for the Mira Villa Condominiums and Summerlin Certificate of Deviation (SCD-0002-02).
3. All development shall conform to the Summerlin Development and Improvement Standards.
4. Street names must be provided in accord with the City's street naming regulations.
5. All development is subject to the conditions of City departments and State subdivision statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. The height of retaining walls for this subdivision shall not exceed six feet, unless the Planning Commission approves a greater height at a Public Hearing.

Public Works

8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 2 – TM-0048-02

CONDITIONS – Continued:

10. Public drainage easements must be common lots to be privately maintained by a homeowners association or maintenance association for all public drainage not located within existing public street right-of-way
11. Site development to comply with all applicable conditions of approval for SV-0005-02, Summerlin Village 3 Parcel B, the Summerlin Improvement Standards, the Master Traffic Impact Analysis, and all other applicable site related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TM-0049-02 - VISTA VERDE AT SUMMERLIN - WILLIAM LYON HOMES -
 Request for a Tentative Map, consisting of 122 lots on 23.8 acres adjacent to the west side of Park Vista Drive, approximately 1,430 feet south of Alta Drive (APN: 137-22-000-005), PC (Planned Community) Zone, Ward 2 (L.B. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Condition 8 amended as follows: *If acceptable to the Clark County School District, provide pedestrian access to the planned school site to the north of the tentative subdivision between lots 50 and 51 or other mutually agreed location.* – Motion carried with BUCKLEY and GALATI abstaining as Howard Hughes Corporation is a client of their firms

This is final action.

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

ELENA ARELLANO, G. C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared on behalf of William Lyon Homes. She requested Condition 8 be amended to include: *If acceptable to the Clark County School District, provide pedestrian access to the planned school site to the north of the tentative subdivision between lots 50 and 51 or other mutually agreed location.* They are working with the School District to determine whether this is a condition that can be mutually agreed upon.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 3 – TM-0049-02

MINUTES – Continued:

In regard to Condition 12, this condition is typically provided for by the master developer, which in this case is Summerlin.

She stated that in regard to Condition 17, most of the master drainage issues will be addressed by Summerlin.

DAVID GUERRA, Public Works, clarified Condition 12 by stating that this request is in Summerlin, so it is understood that the master developer is Summerlin. Therefore, that condition does not need to be altered. In regard to Condition 17, it pertains to an update used to establish the finished floor levels for all the structures. If that condition has not been met, it has to be met. That condition does not need to be altered either.

MS. ARELLANO said she was not requesting Condition 12 and Condition 17 be altered. She was just making a statement for the record.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:38 – 6:42)

1-1215

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area covered by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall comply with all applicable conditions of approval for Rezoning (Z-0119-96), Development Agreement (DA-0001-96), and Summerlin Development Plan Review (SV-0042-97) for the Vistas at Summerlin Village 20.
3. All development shall conform to the Summerlin Development and Improvement Standards.
4. Street names must be provided in accord with the City's street naming regulations.
5. All development is subject to the conditions of City departments and State subdivision statutes.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 3 – TM-0049-02

CONDITIONS – CONTINUED:

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. The height of retaining walls for this subdivision shall not exceed six feet, unless the Planning Commission approves a greater height at a Public Hearing.
8. Provide pedestrian access to the planned school site to the north of the tentative subdivision between lots 50 and 51 or other mutually agreed location.

Public Works

9. The overall Final Map for Summerlin Village 20 Unit 1 must record prior to the recordation of a Final Map for this site.
10. The following Deviations From Standards are hereby approved and may be incorporated into the Final Map:
 - a. Some tangent lengths into intersections are less than 50 feet
 - b. Some street radii are less than 300 feet
 - c. Cul-de-sac radii are 40.5 feet
 - d. Some distances between reverse curves are less than 50 feet
 - e. Some streets have offset crowns
11. Appropriate other subdivision phases and/or Final Maps to continue Valentino Way shall record prior to or concurrent with this Final Map to provide a continuous public street. Alternatively, appropriate offsite rights of way shall be granted prior to the recordation of this Final Map to terminate or continue Valentino Way in a method meeting current City Standards.
12. If not already constructed or guaranteed by the master developer at time of development, construct two lanes of paved, legal access to this site.
13. Construct the full width of the proposed entrance street, San Jacoma Way, at Park Vista Drive concurrent with development of this site and obtain right-of-way or easement rights for the southeast half of San Jacoma Way prior to the recordation of a Final Map for this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 3 – TM-0049-02

CONDITIONS – Continued:

14. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
15. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
16. Public drainage easements must be common lots to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
18. Site development to comply with all applicable conditions of approval for Summerlin Village 20 overall subdivision, the Summerlin Improvement Standards, the Master Traffic Impact Analysis, and all other applicable site related actions.
19. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TM-0050-02 - MIRALESTE AT SUMMERLIN - WILLIAM LYON HOMES - Request for a Tentative Map for 122 lots on 32.5 acres located adjacent to the east side of Vista Run Drive, approximately 1,300 feet north of Charleston Boulevard, P-C (Planned Community) Zone, Ward 2 (L.B. McDonald).

PC: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – Motion carried with BUCKLEY and GALATI abstaining as Howard Hughes Corporation is a client of their firms

This is final action.

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

ELENA ARELLANO, G. C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared on behalf of William Lyon Homes. In regard to Condition 11, the access is provided by the master developer. In respect to Condition 15, the master drainage study requirements are generally fulfilled by the master developer. She did not request those conditions be altered.

There was no further discussion.

(6:42 – 6:44)
1-1365

PLANNING COMMISSION MEETING OF AUGUST 8, 2002

Planning and Development Department

Item 4 – TM-0050-02

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area covered by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall comply with all applicable conditions of approval for Rezoning (Z-0119-96), Development Agreement (DA-0001-96), and Summerlin Development Plan Review (SV-0042-97) for the Vistas at Summerlin Village 20.
3. All development shall conform to the Summerlin Development and Improvement Standards.
4. Street names must be provided in accord with the City's street naming regulations.
5. All development is subject to the conditions of City departments and State subdivision statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. The height of retaining walls for this subdivision shall not exceed six feet, unless the Planning Commission approves a greater height at a Public Hearing.

Public Works

8. The overall Final Map for Summerlin Village 20 Unit 1 must record prior to the recordation of a Final Map for this site.
9. The following Deviations From Standards are hereby approved and may be incorporated into the Final Map:
 - a. Some tangent lengths into intersections are less than 50 feet
 - b. Some street radii are less than 300 feet
 - c. Cul-de-sac radii are 40.5 feet
 - d. Some distances between reverse curves are less than 50 feet
 - e. Some streets have offset crowns

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 4 – TM-0050-02

CONDITIONS – Continued:

10. Appropriate other subdivision phases and/or Final Maps to continue Valentino Way shall record prior to or concurrent with this Final Map to provide a continuous public street. Alternatively, appropriate offsite rights of way shall be granted prior to the recordation of this Final Map to terminate or continue Valentino Way in a method meeting current City Standards.
11. If not already constructed or guaranteed by the master developer at time of development, construct two lanes of paved, legal access to this site.
12. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
13. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
14. Public drainage easements must be common lots to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 4 – TM-0050-02

CONDITIONS – Continued:

16. Site development to comply with all applicable conditions of approval for Summerlin Village 20 overall subdivision, the Summerlin Improvement Standards, the Master Traffic Impact Analysis, and all other applicable site related actions.
17. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

Z-0058-00(3) - WEST GOWAN, LIMITED LIABILITY COMPANY - Request for an Extension of Time for an approved Rezoning of 4.1 acres adjacent to the southwest corner Gowan Road and the Western Beltway (APN: 137-12-301-007), FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development); PROPOSED USE: OFFICE, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESEL – APPROVED Item 1 [TM-0047-02], Item 2 [TM-0048-02] and Item 5 [Z-0058-00(3)] subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

There was no discussion.

(6:37 – 6:38)
1-1185

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on June 5, 2004 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0058-00), Site Development Plan Review [Z-0058-00(2)], and to the Lone Mountain West development standards.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0075-90(21) - FARM AND ALEXANDER PROPERTIES ON BEHALF OF CITY DEVELOPMENT GROUP - Request for a Site Development Plan Review FOR A PROPOSED 7,011-SQUARE FOOT CHILD CARE FACILITY on 4.84 acres located on the southwest corner of Farm Road and Cimarron Road (APN: 125-16-318-005), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Owners' Conditions

MOTION:

TRUEDELL – APPROVED subject to staff's conditions and the additional nine (9) conditions proposed by Sweet Pea Learning Center (see nine (9) additional conditions listed below) - **UNANIMOUS**

To be heard by the City Council on 9/4/2002.

NOTE: COMMISSIONER QUINN said Bruce Familian had been a client of his business, but that is no longer the case.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated staff has noted that the outdoor play area is located adjacent to the back yards of four single-family dwellings. Noise associated with an outdoor play area would adversely affect those homes. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 6 – Z-0075-90(21)

MINUTES – Continued:

ATTORNEY SCOTT EATON, Lionel Sawyer & Collins, 300 South 4th Street, appeared on behalf of the applicant and the developer, Bruce Familian, 4534 West Hacienda Avenue. This application is for the final piece of a small commercial center in the northwest portion of the valley. The approval that is already in place for this portion of the center is for a larger retail building. The developer is seeking to reduce the size of the building and reconfigure the space for Sweet Pea Learning Center. This application was originally set to come before the Planning Commission last month with a recommendation of approval by staff. However, it was decided that the applicant should meet with the neighbors and as a result of the meeting that was held nine conditions were negotiated with the neighbors as follows:

1. The standard operating hours for any day care center operated at this location shall be Monday through Friday beginning at 6:00 a.m. and ending at 7:00 p.m., except for up to four (4) special events each calendar year, selected at the discretion of the operator, when the day care center may be open at other than the standard operating hours.
2. The outdoor recreation area adjacent to the day care center shall only be utilized as a playground for the children between the hours of 9:00 a.m. and 5:00 p.m.
3. Relocate the proposed trash enclosure from Location A to approximately Location B.
4. Erect an eight (8) foot decorative block wall to enclose outdoor recreation area, excepting any gates/openings necessary to address any fire/access/safety concerns.
5. Shade structures/equipment erected in the outdoor recreation area shall be of a neutral color that complements the colors of the exterior of the adjacent buildings and shall be no higher than reasonably necessary to shade playground equipment of a maximum height of ten (10) feet.
6. If requested by the City Council Member whose Ward encompasses the subject property, the property owner agrees to an additional public hearing at any time during the next two (2) years to review the outdoor recreation area operation and determine if additional mitigation measures shall be required to better buffer the residential neighbors.
7. Existing pine trees located along the southern boundary of the project shall be replaced with a different variety of tree when found to be immediately adjacent to an existing swimming pool.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 6 – Z-0075-90(21)

MINUTES – Continued:

8. The existing landscaping buffer along the southern boundary of the project shall be improved by doubling the number of trees, primarily by using evergreen trees of a different variety than those currently in place, and there will be no pine trees used in the portion of the landscaping buffer yet to be completed along the western edge of the day care center.
9. A suspected privacy screen of a neutral color shall be erected between the existing retail building and the southern boundary of the project so as to screen the rear doors of the building from the view of the adjacent residential neighbors.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the applicant and said the nine additional conditions were given to staff earlier this evening. MR. REED responded that staff reviewed those additional conditions and felt they could be enforced.

STEPHEN REILLY, Elkhorn Springs, 7000 Steeple Court, appeared in approval. BRUCE FAMILIAN has met with the residents on several occasions in regard to this project. The residents also met with the day care owner, as well as CITY COUNCIL LIAISON LENI SKARR. The residents like the idea that this day care will only be open Monday through Friday from 6:00 a.m. to 7:00 p.m. In addition, the applicant has agreed to only four (4) special events per year.

SCOTT CUTRELL, 8008 Shady Glen Avenue, appeared in approval. This will alleviate some of the neighbors' concerns in regard to this center.

JUANITA ROBINSON, 7528 Tumbling Street, said she has no objection to the revised site plan.

MR. BORGEL explained that the idea of a special event is if New Year's Eve occurred on Saturday and parents wanted to leave their children.

ATTORNEY EATON added that the adjacent tavern owner is aware that if this project were approved, it would put his business in non-conformance if a change would occur at the tavern. The operator of the day care is proposing a maximum enrollment of 150 children, but there would probably be around 100 children at any one time.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:44 – 6:57)

1-1429

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 6 – Z-0075-90(21)

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations.
3. Compliance with all conditions of approval for Site Development Plan Review [Z-0075-90(17)], Rezoning [Z-0075-90], the Cimarron Road and Farm Road Commercial Center subdivision, and any applicable site-related actions.
4. Satisfaction of current City Code requirements and design standards of all City departments.
5. The loading space shall be relocated from the north side of the child care facility to the east side of the facility as required by the Planning and Development Department.
6. An update to the previously approved drainage plan and technical drainage study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings, issuance of any permits, or the recordation of a Final Map for this site, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - RENOTIFICATION - GPA-0018-02 -NELLIS LAND COMPANY ON BEHALF OF LONGFORD GROUP - Request for a General Plan Amendment FROM: R (Rural) TO: L (Low Density Residential) of 3.98 acres, located adjacent to the south side of Harris Avenue, east of the Marion Drive alignment (APN: 140-29-801-001), Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted Before The Agenda: Letter From VTN Nevada Requesting Withdrawal Without Prejudice

MOTION:

TRUESDELL – WITHDRAWN WITHOUT PREJUDICE - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated that this is a General Plan Amendment located near Bonanza Road and Marion Drive. The applicant has requested this item be withdrawn without prejudice.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared in order to represent the applicant. He requested this item be withdrawn.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:13 – 6:14)

1-360

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - RENOTIFICATION - Z-0041-02 - NELLIS LAND COMPANY ON BEHALF OF LONGFORD GROUP - Request for a Rezoning FROM: R-E (Residential Estates) TO: R-PD5 (Residential Planned Density, 5 Units per Acre) of 4.40 acres, located adjacent to the south side of Harris Avenue, east of the Marion Drive Alignment (APN: 140-29-801-001), Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] to the 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] are Zone Changes and Site Plan Reviews for properties located near Bonanza Road and Marion Drive. The applicant is revising these applications and is requesting they be held in abeyance until the 9/12/2002 Planning Commission meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 8 – Z-0041-02

MINUTES – Continued:

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared in order to represent the applicant. He requested Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] be held in abeyance for a month. They have revised the site plan on the south area and increased the units by four, which has increased the density from R-PD4 to R-PD5. Therefore, the City has requested these items be renotified.

MARLA MINTY appeared to state that she felt these items should be heard at this meeting. The residents have already attended meetings in regard to this proposal.

WALTER CASPER, Sunland Village, said he has lived in Rural Estates for 26 years and has had to fight every year to maintain the integrity of his neighborhood. The applicant should develop this property with half-acre estates. This will impact the schools and traffic in the area. He was in favor of holding these items in abeyance to the 9/12/2002 Planning Commission meeting so the residents could be better prepared.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 8, [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] was held under Item 8 [Z-0041-02].

(6:14 – 6:18)

1-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE – RENOTIFICATION - Z-0041-02(1) - NELLIS LAND COMPANY ON BEHALF OF LONGFORD GROUP - Request for a Site Development Plan Review FOR A PROPOSED 20-LOT SINGLE-FAMILY SUBDIVISION on 4.40 acres, located adjacent to the south side of Harris Avenue, east of the Marion Drive alignment (APN: 140-29-801-001), PROPOSED: R-PD5 (Residential Planned Density- 5 Units per Acre) Zone, Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESDELL – ABEYANCE of Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] to the 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 8, [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] was held under Item 8 [Z-0041-02].

(6:14 – 6:18)

1-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE – RENOTIFICATION - Z-0054-02 - NELLIS LAND COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD4 (Residential Planned Development, 4 Units per Acre) of 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN:140-29-801-004), Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] to the 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 8, [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] was held under Item 8 [Z-0041-02].

(6:14 – 6:18)

1-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE – RENOTIFICATION - Z-0054-02(1) - NELLIS LAND COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 34-LOT RESIDENTIAL SUBDIVISION on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN:140-29-801-004), PROPOSED R-PD4 (Residential Planned Development - 4 Units per Acre) Zone, Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] to the 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated Item 8 [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] are zone changes and Site Plan Reviews for properties located near Bonanza Road and Marion Drive. The applicant is revising these applications and is requesting they be held in abeyance until the 9/12/2002 Planning Commission meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 11 – Z-0054-02(1)

MINUTES – Continued:

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 8, [Z-0041-02], Item 9 [Z-0041-02(1)], Item 10 [Z-0054-02] and Item 11 [Z-0054-02(1)] was held under Item 8 [Z-0041-02].

(6:14 – 6:18)

1-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

PUBLIC HEARING - ABEYANCE - V-0032-02 - RANCHO SANTA FE, LIMITED -
Request for a Variance TO ALLOW 696 PARKING SPACES WHERE 1,149 ARE REQUIRED
IN CONJUNCTION WITH A PROPOSED HAIR SALON (FAST CUTS), located at 5081
North Rainbow Boulevard #106 (APN: 125-34-712-004), C-2 (General Commercial) Zone,
Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

13

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated the required parking was calculated prior to the adoption of Title 19A. Therefore, this site is classified as a parking impaired development. All new uses need to provide the additional parking required under the zoning code. Therefore, this Variance is to allow 706 parking spaces where 826 are required. A tavern was allowed to develop on this site, which caused the entire subdivision to become parking impaired. Further, various businesses will have different peak operating times and will not impact the site. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 12 – V-0032-02

MINUTES – Continued:

GEORGE GARCIA, 2501 Green Valley Parkway, Suite 108, appeared on behalf of and with the owner of Fast Cuts, WENDY GOODWILL, 6917 Jeanette Street. MR. GARCIA thanked staff for working with them and agreed to the conditions.

COMMISSIONER McSWAIN asked if this application has addressed the global issues that were discussed when this item was heard previously. ANDREW REED, Planning and Development, responded that staff has visited the site and there does not seem to be a parking problem. They are replacing retail uses with the hair salon. The parking is calculated for the entire commercial center.

No one appeared in opposition.

MR. GARCIA commended COMMISSIONER BUCKLEY for his outstanding job on the Planning Commission.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:57 – 7:01)

1-1976

CONDITIONS:

Planning and Development

1. If this Variance is not exercised within one (1) year from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.
2. Any change in use requires a parking analysis be reviewed by the Planning and Development Department prior to the issuance of any building permits, business licenses, or certificate of occupancy.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.
4. This Variance shall be subject to a one (1) year review.

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

PUBLIC HEARING - ABEYANCE - Z-0075-91(13) - MOUNTAIN SPA RESORT ET AL ON BEHALF OF PULTE HOME - Request for a Site Development Plan Review for a REVISED MASTER DEVELOPMENT PLAN CONTAINING 1873 LOTS ON 635.80 ACRES (SILVERSTONE RANCH), generally located between Grand Teton Road on the south, Iron Mountain Road on the north, Rainbow Boulevard on the east and Buffalo Drive on the west (APN's: MULTIPLE), R-PD3 (Residential Planned Development - 3 Units per Acre) and C-1 (Limited Commercial) Zones, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

215

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted At Meeting - Petition In Opposition

MOTION:

TRUESDELL – APPROVED subject to conditions with the additional conditions submitted by the applicant (see sixteen (16) conditions below) - Motion carried with **GOYNES** voting NO and **BUCKLEY** abstaining as his law firm represents the mortgage lender for Mountain Spa

To be heard by the City Council on 9/4/2002 not before 4:00 p.m.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this item had been held in abeyance to allow the applicant to meet with the neighbors. This involves 1,873 units at 2.95 units per acre. That is in conformance with the zoning on the property. All the townhouses are in parcels 13, 14 and 17 in the northwest section. The remainder of the site is for single-family detached homes. Parcels 15 and 16 in the interior of the site are currently zoned commercial. The applicant will have to come back and rezone that to R-PD3 (Residential Planned Development – 3 Units per Acre), which is a requirement of the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

MINUTES – Continued:

MR. CLAPSADDLE continued stating that since this is not a rezoning, but a site plan review, the Rural Preservation Neighborhood Standards do not apply because this is a continuation of a master planned development approved in 1991.

The applicant has submitted additional conditions, which have been reviewed by staff. Since the last hearing, staff has received a petition with signatures in opposition. Staff recommended approval subject to the conditions.

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with GREG BORGEL, 300 South 4th Street, on behalf of Pulte Homes. He submitted a list of additional conditions to the Clerk, which are a result of meetings with the residents, as follows:

1. Developer will petition to have Buffalo Drive alignment (north of Unit 2) and Coke Street (along western border of development) built to rural standards.
2. Wall along Buffalo Drive alignment (north of Unit 2) and immediately adjacent to the fairway will be constructed with a combination of block and wrought iron view fence.
3. Park open space on the most northern portion of Unit 2 will be closed off from the golf course by a block wall.
4. The present elevation of Unit 2 will be reduced to no higher than three (3) feet above the adjacent grade.
5. All homes within Unit 2 will be single story except the model homes, which will be a combination of one and two stories, with the southern most model home being single story.
6. Ten of the 18 homes in Unit 1 adjacent to Racel Road will be single story with no more than two sequential two-story homes.
7. The lots in Parcel 2N adjacent to Racel Road will be subject to the following:
 - A. Restricted to single story homes;
 - B. The lot widths will be increased to a minimum of 50 feet;
 - C. Aggregate side setbacks for the homes on these lots will be increased to 15 feet from 10 feet;
 - D. The lot sizes will be increased to a minimum of 6,000 square feet.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

MINUTES – Continued:

8. The present wall on Tenaya Way will be removed and will be reconstructed without wrought iron, but otherwise consistent with, although smaller in scale to, the wall and landscape theme along Racel Road.
9. The lots in Parcels 3 and 2S adjacent to Tenaya Way, with the exception of the northern most lot, shall be subject to the following:
 - A. Increase in lot size to a minimum of 5,000 square feet;
 - B. Aggregate side setbacks for the homes on these lots will be increased to 15 feet from 10 feet; and
 - C. Minimum rear yard setbacks of 30 feet.
10. The present wall on Grand Teton Drive will be removed and will be reconstructed consistent with the wall and landscape theme along Tenaya Way.
11. Four lots in Parcel 4 adjacent to Grand Teton Drive and west of the existing maintenance facility as shown on the plan as originally submitted will be removed and additional open space provided.
12. Developer will in good faith support and actively assist the petitioners in their petition to close Rainbow Boulevard south of Grand Teton Drive.
13. Developer will pay for the immediate physical improvements necessary to close Rainbow Boulevard south of Grand Teton Drive.
14. The Rainbow Boulevard entrance to the development will be comparable aesthetically to the Buffalo Drive entrance.
15. All lights interior to the development will utilize lower intensity lighting than the City standards and will be of a decorative nature.
16. Construction traffic will be directed to the development using Buffalo Drive, Grand Teton Drive and Rainbow Boulevard, north of Grand Teton Drive and Coke Street.

They also met with City and County Commissioners. The residents were concerned about off-road vehicles, but the CC&R's state that they cannot be driven on the streets in this development. Another request was to place boulders south of this development. The applicant's engineer felt that would impede the water flow. It was determined that the flows on this site have not increased over those that were previously approved. The residents also requested the wall be raised. The residents asked if the homes in the northwest corner could be single story or removed entirely. That portion of the project is between two and three years away. There was a question of the fence along Iron Mountain Road. That fence will be built according to City standards in the next few years. They have provided conduit to facilitate future traffic signals at Buffalo Drive, Racel Road, Grand Teton Drive and Tenaya Way, if warrants require those signals.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

MINUTES – Continued:

CAROL BAILEY, Clark County School District, 4212 Eucalyptus Street, appeared in approval. She commended CITY COUNCIL LIAISON LENI SKAAR and Pulte Homes for their assistance. A school site has not been located within the development, but the applicant will aid in obtaining a school site on Bureau of Land Management land. There was a concern amongst the residents in regard to the school buses driving in the neighborhood.

TODD FARLOW, 240 North 19th Street, appeared in approval. He was concerned about the open space and access on Grand Teton Drive.

PAM BAILEY, 6665 Jo Marcy Drive, appeared in protest. Pulte Homes has not adequately addressed the density compatibility with the existing homes along the perimeter. With the density being proposed in Parcels 3, 2S and 5, that would put 22 houses along her fenced area. They are being allowed to count the golf course property as open space. If they were precluded from counting the open area from the golf course, the applicant would have to give up more property for the open area. She was fearful the children will be overflowing into her neighborhood. If Meadow Brook ever decides to develop the property for other than a golf course, she wondered if there could be an additional 891 houses on the golf course land. DEPUTY CITY ATTORNEY BRYAN SCOTT responded that he was unsure if there were any stipulations in their agreement that would address that type of situation. ROBERT GENZER, Planning and Development, said the restriction on the overall property is 1,873 maximum units. The only way the golf course could be turned into additional units is for Meadow Brook to come back to the Planning Commission and the City Council and get that condition changed.

BEVERLY COKE, 8325 Coke Street, appeared in approval. The fence along Coke Street is only half way on the applicant's property. She would prefer that to be a block wall and wrought iron fence. She asked if the residents will be notified in two or three years when the applicant intends to build the townhomes. She objected to the townhomes. MR. GENZER responded that the subdivision mapping process is not a public hearing item and will have to conform to the submitted plan.

BETH TAYLOR, 7670 Brent Lane, appeared in protest. She submitted a petition to the Clerk. She objected to the setbacks for the townhomes without consideration of compatibility to the surrounding area. The surrounding properties range from half acre to ten-acre parcels. This plan should be reconsidered because of the proximity to DR (Desert Rural). She requested the homes be on large lots and single story.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

MINUTES – Continued:

KENNETH CLARK, 8330 Coke Street, appeared in approval. He objected to the condominiums, but the rest of the development will be a quality project.

SHARON LINSENBARDT, 7280 Grand Teton Drive, appeared in protest. She has lived in the area since 1978. This entire project is surrounded by large lots, half-acre estates for miles. Originally there were approximately 900 upscale homes proposed for this project. All the remaining units were inside the hotel, but now those units are being developed on the perimeter. She objected to the size of the homes and was concerned about the traffic passing by her home.

JACK AVERY, 7235 Racel Street, appeared in protest. He did not understand why the golf course was calculated in the open space requirement. Originally this project was going to consist of low-density, single-family homes. He objected to the density.

KIMBERLY THOMAS, 6775 Whispering Sands, appeared in approval. The objective of the School District is to have enough schools in that area so busing will not be needed.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 25 (VAC-0051-02) for further discussion.

(7:01 – 8:34)

1-2124

Recess

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. The area designated as development Parcel 15 & 16 shall require approval of a rezoning from C-1 (Limited Commercial) to R-PD3 (Residential Planned Community – 3 Units Per Acre) prior to submittal of any Tentative Map for any portion of development Parcels 15 & 16.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

CONDITIONS – Continued:

4. The setbacks for this development shall be as follows:

Townhouses

Front:	18	Feet (front entry garage)
Front:	14	Feet (side entry garage, casita, or courtyard)
Side:	5	Feet (minimum 10 feet between buildings)
Side:	0	Feet
Corner Side:	10	Feet
Rear:	15	Feet

Single Family Homes

Front:	18	Feet (front entry garage)
Front:	14	Feet (side entry garage, casita, or courtyard)
Side:	5	Feet
Corner Side:	10	Feet
Rear:	15	Feet

5. Balconies on the rear of the dwellings are allowed to encroach to within ten feet (10') of the rear property line, except on lots that are on the periphery of the development.
6. Accessory structures shall be allowed subject to the requirements of Section 19A.08.040 of the Las Vegas Zoning Code.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
9. The applicant shall have constructed a six-foot high decorative block wall, if needed, to match the existing decorative walls. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 13 – Z-0075-91(13)

CONDITIONS – Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. An application to vacate existing public right-of-way in conflict with this Site Plan, such as VAC-0051-02, must be submitted to and approved by the City Council prior to the submittal of a Final Map Technical Review for any property overlying or adjacent to the area to be vacated. The Order of Vacation must record prior to the recordation of any Map overlying or adjacent to the areas to be vacated.
13. An addendum to the previously approved Master Drainage Plan must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, beyond Unit 1. Unit 1 may proceed as previously approved, subject to submittal of an Update Letter to the Flood Control Section of the Department of Public Works for their approval. Site-specific technical drainage studies shall be required as each future "pod" site develops. Provide and improve all drainageways as recommended in the approved drainage plan/studies.
14. Site development to comply with all applicable conditions of approval for Z-0075-91, the Mountain Spa Development Agreement as amended, and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - GPA-0014-02 - WEST CHARLESTON BOULEVARD – DUNEVILLE STREET, LIMITED PARTNERSHIP ON BEHALF OF EXECUTIVE DEVELOPMENT CORPORATION - Request to amend a portion of the Southwest Sector of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 8.35 acres located adjacent to the south side of Charleston Boulevard, approximately 195 feet east of Jones Boulevard (APN's: 163-01-102-003 and 004), Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Letter In Approval

MOTION:

QUINN – APPROVED – Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

JOHN KOSWAN, Planning and Development, stated this request is to amend a portion of the Southwest Sector Plan from SC (Service Commercial) to M (Medium Density Residential). The property is located on the south side of Charleston Boulevard, approximately 195 feet east of Jones Boulevard. The parcels are currently vacant and the southern portion of the property is within the 330-foot buffer area for a Rural Preservation Neighborhood, which is also located on

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 14 – GPA-0014-02

MINUTES – Continued:

the south parcel. Chapter 278 of the Nevada Revised Statutes limits the rezoning of property when it is within the 330-foot buffer area to three units per acre. The applicant has requested a waiver of that provision and Chapter 278 provides that for good cause, the zoning can be changed. The applicant has stated, and staff concurs, that the proximity of commercial uses and frontage onto Charleston Boulevard make this property undesirable for residential development of such low density. However, with appropriate development standards such limitations as building height within the buffer could be applied to this property and preserve the existing Rural Preservation Neighborhood.

This request meets the requirements of Section 19A.18.030.I, which states that the proposed land use designation and associated district must be compatible with adjacent and existing uses. In this case, the associated traffic and lighting with a higher density residential development would have no greater impact on the surrounding properties than the commercial development that the properties are designated for. The proposed 192-unit apartment complex will provide an increase in customer base for the surrounding commercial uses and also provide a convenient urban location for those choosing to live there.

On 6/27/2002, a neighborhood meeting was held in which seven residents attended. Their major concern was access on the southerly end of the property. When the residents learned that no access was contemplated on that portion of the property, six of the residents were satisfied and one was not. Staff recommended approval.

JAMES GRINDSTAFF, Perlman Architect, Inc., 2230 Corporate Circle, #200, Henderson, Nevada appeared in order to represent the applicant. This proposal is for a three-story, multi-family project containing 192 units. The units range from 792 square feet to 1,159 square feet and are one and two bedrooms. The largest concern is with the adjacency to the southern property nearest the Rural Neighborhood Preserve. MR. GRINDSTAFF indicated on the monitor that they have maintained a 3 to 1 setback for Building 3. The setback requirement is 89 feet and they will be providing 90 feet.

GARY MOREHEAD, Executive Development Corporation, 7321 West Charleston Boulevard, appeared on behalf of the applicant. The rezoning states that the back half of Building 3 be limited to two stories. However, Condition 3 on the Variance states that any building within 140 feet of the property line be limited to two stories. He concurred with staff's conditions except with having to maintain two stories on half a building.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 14 – GPA-0014-02

MINUTES – Continued:

JEFF RICE, 3072 El Camino Avenue, spoke in protest on behalf of FRANCES HARRIS, 5313 Swallow Tail Court. In her opinion, the residents in the area have relied on the original zoning. This will bring too many residents and traffic into a small area. Notices were not received by some of the neighbors. MR. RICE asked that this be held in abeyance until the 9/12/2002 Planning Commission meeting in order for MS. HARRIS to attend the meeting. MS. HARRIS has several properties in the area and she feels this will impact them.

TODD FARLOW, 240 North 19th Street, appeared in protest. This item is incompatible with the area.

ED SHEATS, 1295 Duneville Street, appeared in approval. Making three stories on one side of the building and two stories on the other side does not make any sense. He did not object to three stories. He felt they will have to obtain a Variance to be able to construct an eight-foot wall instead of a six-foot wall. His only objection is the sight line from the third floor.

CHRIS CHRISTOFF, 335 West Cincinnati Avenue, appeared in approval. This property has medical buildings on both sides. It is a high traffic area. A lot of the residents are moving out of the area.

JAMES GRINDSTAFF appeared in rebuttal. He submitted a letter to the Clerk from a property owner to the west in support. This will not bring in transients.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 14 [GPA-0014-02], Item 15 [Z-0037-02], Item 16 [V-0041-02] and Item 17 [Z-0037-02(1)] was held under Item 14 [GPA-0014-02].

(10:01 – 10:26)

3-1320

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0037-02 - WEST CHARLESTON BOULEVARD – DUNEVILLE STREET, LIMITED PARTNERSHIP ON BEHALF OF EXECUTIVE DEVELOPMENT CORPORATION - Request for a Rezoning of 8.35 acres FROM: C-2 (General Commercial) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) TO: R-3 (Medium Density Residential) on property located adjacent to the south side of Charleston Boulevard, approximately 195 feet east of Jones Boulevard (APN's: 163-01-102-003 and 004); PROPOSED USE: 192-UNIT APARTMENT COMPLEX, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting - Letter In Approval

MOTION:

QUINN – APPROVED subject to conditions with Condition 3 amended to insert *and* in place of or – Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this proposed rezoning to R-3 (Medium Density Residential) will be compatible with the area. This property is partially within the buffer zone of the R-PN. Staff finds there is good cause to approve this rezoning as it would be very difficult to place single-family residences on this site adjacent to Charleston Boulevard. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 15 – Z-0037-02

MINUTES – Continued:

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 14 [GPA-0014-02], Item 15 [Z-0037-02], Item 16 [V-0041-02] and Item 17 [Z-0037-02(1)] was held under Item 14 [GPA-0014-02].

(10:01 – 10:26)

3-1320

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-0014-02) to an M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 15 – Z-0037-02

CONDITIONS – Continued:

Public Works

4. Dedicate an appropriate radius corner at the southeast corner of this site at Holmby Avenue and Duneville Street prior to the issuance of any permits for this site. Coordinate with the right-of-way section for assistance in the preparation of the appropriate documents.
5. Coordinate with the City Surveyor to determine whether a boundary line adjustment map shall be recorded to transfer the west 10 feet of this site to the property to the west; comply with the recommendations of the City Surveyor prior to the issuance of any building permits for this site.
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 15 – Z-0037-02

CONDITIONS – Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - V-0041-02 - WEST CHARLESTON BOULEVARD – DUNEVILLE STREET, LIMITED PARTNERSHIP ON BEHALF OF EXECUTIVE DEVELOPMENT CORPORATION - Request for a Variance TO ALLOW APARTMENT BUILDINGS TO BE THREE STORIES AND 38 FEET IN HEIGHT WHERE TWO STORIES AND 35 FEET IS THE MAXIMUM HEIGHT ALLOWED within the R-3 (Medium Density Residential) Zone on property located adjacent to the south side of Charleston Boulevard, approximately 195 feet east of Jones Boulevard (APN's: 163-01-102-003 and 004), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED R-3 (Medium Density Residential)], Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting - Letter In Approval

MOTION:

QUINN – APPROVED subject to conditions with Condition 3 deleted - Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law

NOTE: QUINN made an initial motion for APPROVAL subject to conditions – Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law. QUINN then made a second motion to rescind his previous motion - Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law

To be heard by the City Council on 9/4/2002.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 16 – V-0041-02

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated there is evidence of a unique or extraordinary circumstance on this proposal and the height limitation is the same whether it is a single-family dwelling or multi-family apartment. The Zoning Code does not give relief in the building height standards, even though the allowable density increases. This Variance represents an 8.57% deviation from the code, which staff finds is minor in nature. Staff recommended approval subject to the conditions.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 14 [GPA-0014-02], Item 15 [Z-0037-02], Item 16 [V-0041-02] and Item 17 [Z-0037-02(1)] was held under Item 14 [GPA-0014-02].

(10:01 – 10:26)

3-1320

CONDITIONS:

Planning and Development

1. If this Variance is not exercised within two (2) years after the final approval, then this Variance shall be void unless an Extension of Time is granted.
2. City Code requirements and design standards of all City Departments that are not affected by the approval of this Variance must be satisfied.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to require that any building within 140 feet of the south property line be limited to two stories in height.
4. Conformance to all Conditions of Approval for Rezoning Z-0037-02 and Site Development Plan Review [Z-0037-02(1)].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0037-02(1) - WEST CHARLESTON BOULEVARD – DUNEVILLE STREET, LIMITED PARTNERSHIP ON BEHALF OF EXECUTIVE DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 192-UNIT 3-STORY, APARTMENT COMPLEX on 8.35 acres located adjacent to the south side of Charleston Boulevard, approximately 195 feet east of Jones Boulevard (APN's: 163-01-102-003 and 004), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED R-3 (Medium Density Residential)], Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letter In Approval

MOTION:

QUINN – APPROVED subject to conditions with Condition 7 deleted – Motion carried with McSWAIN abstaining as the applicant's representative is her brother-in-law

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this site plan is appropriate and proper building setbacks and vehicular circulation matters are addressed. However, in light of the adjacent residential to the south, Building 3 should be limited to two stories in height on the side of the building facing the residences to the south. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 17 – Z-0038-02(1)

MINUTES – Continued:

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 14 [GPA-0014-02], Item 15 [Z-0037-02], Item 16 [V-0041-02] and Item 17 [Z-0037-02(1)] was held under Item 14 [GPA-0014-02].

(10:01 – 10:26)

3-1320

CONDITIONS:

Planning and Development

1. A Rezoning (Z-0037-02) to an R-3 (Medium Density Residential) Zoning District approved by the City Council.
2. A Variance (V-0041-02) shall be approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 20 feet from the front property line, 5 feet from the sides, 5 feet from the corner side, and 20 feet from the rear property line, with a minimum distance between buildings of 10 feet.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permits, to reflect the garages and covered parking structures to be a minimum of six feet from the property lines.
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permits, to require the southern half of the southeastern most building (building 3 as shown on the site plan) to be limited to two stories in height.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 17 – Z-0038-02(1)

CONDITIONS – Continued:

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum six foot wide landscape planter along the south, east and west property boundaries and a minimum ten foot wide planter along the north property boundary.
9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
11. A detailed landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
15. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 17 – Z-0038-02(1)

CONDITIONS – Continued:

16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
18. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services.
19. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Site development to comply with all applicable conditions of approval for Z-0037-02 and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - U-0071-02 - ALTA MIRA COMMERCIAL LIMITED PARTNERSHIP ON BEHALF OF WAL-MART STORES, INC. - Request for a Special Use Permit TO ALLOW PACKAGED LIQUOR SALES FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED NEIGHBORHOOD MARKET located adjacent to the northeast corner of Craig Road and Jones Boulevard (APN: 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

308

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

8

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Letters In Opposition
5. Submitted at Meeting – Petition In Opposition

MOTION:

McSWAIN – ABEYANCE of Item 18 [U-0071-02] and Item 19 [Z-0108-88(15)] to 9/12/2002 Planning Commission meeting – Motion carried with QUINN voting NO

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated Item 18 [U-0071-02] and Item 19 [Z-0108-88(15)] involve a Wal-Mart neighborhood market at Craig Road and Jones Boulevard. The applicant has requested these items be held in abeyance until the 9/12/2002 Planning Commission meeting in order to address concerns that were raised at a neighborhood meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 18 – U-0071-02

MINUTES – Continued:

ROBIN HARPSTER, EKN Engineering, 245 East Warm Springs Road, #100, appeared on behalf of the applicant. A neighborhood meeting was held in July and there were some concerns raised, so they would like Item 18 [U-0071-02] and Item 19 [Z-0108-88(15)] held in abeyance until the 9/12/2002 Planning Commission meeting.

LAURA ARREDONDO, 5809 Alimar Drive, appeared in protest of the proposal. Some of the neighbors met with representatives of Wal-Mart, but were unable to reach an agreement. This item should be heard at this meeting. She submitted a petition with 300 signatures in opposition as well as letters to the Clerk. Some of the residents were contacted and advised that this proposal would be held in abeyance.

COMMISSIONER McSWAIN asked how many neighborhood meetings have been held. MS. ARREDONDO replied that there was only one meeting with the Wal-Mart representatives about two weeks ago. A 24-hour grocery store with a drive-through pharmacy will not benefit the neighborhood. This is a 40,000 square foot building on a small parcel of land. A business park or medical building would be more beneficial for the neighborhood. There is no way a middle ground can be met with this proposal.

COMMISSIONER EVANS was concerned that if this item is heard at this meeting, it would be unfair to the people who did not attend after being told this item would be held in abeyance.

There were approximately 20 persons in the audience for this item.

MAX BURGER, 6221 Minerva Drive, appeared in protest. He preferred that this item be held in abeyance so he could obtain more information.

FRANK ARREDONDO, 5809 Alimar Drive, appeared in protest. He felt Wal-Mart is just trying to stall until the residents lose interest.

MS. HARPSTER said the reason that a second neighborhood meeting was not held was because they already knew the neighbors' concerns. They would be willing to hold another neighborhood meeting. The architect and engineer were not at this meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 18 – U-0071-02

MINUTES – Continued:

COMMISSIONER TRUESDELL cautioned that it is at the discretion of the Planning Commission as to whether an item will be heard at a meeting.

COMMISSIONER McSWAIN made a motion for abeyance to the 9/12/2002 and encouraged the applicant to have an additional meeting with the neighbors.

CHAIRMAN GALATI asked the applicant if they would pay for re-notification. MS. HARPSTER responded that they would pay for re-notification.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 18 [U-0071-02] and Item 19 [Z-0108-88(15)] was held under Item 18 [U-0071-02].

(6:18 – 6:28)

1-520

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0108-88(15) - ALTA MIRA COMMERCIAL LIMITED PARTNERSHIP ON BEHALF OF WAL-MART STORES, INC. - Request for a Site Development Plan Review TO ALLOW A PROPOSED 39,910 SQUARE-FOOT WAL-MART NEIGHBORHOOD MARKET on 8.17 acres located adjacent to the northeast corner of Craig Road and Jones Boulevard (APN: 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

311

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Letters In Opposition
5. Petition In Approval And Opposition

MOTION:

McSWAIN – ABEYANCE to the 9/12/2002 Planning Commission meeting – Motion carried with QUINN voting NO

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 18 [U-0071-02] and Item 19 [Z-0108-88(15)] was held under Item 18 [U-0071-02].

(6:18 – 6:28)

1-520

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0034-02 - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) of 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), PROPOSED USE: SINGLE-RESIDENTIAL, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting - Letter In Opposition

MOTION:

BUCKLEY – APPROVED subject to conditions – Motion carried with QUINN voting NO

To be heard at the City Council meeting on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the proposed R-PD3 (Residential Planned Development – 3 Units per Acre) zoning will not be compatible with the R-PD2 (Residential Planned Development – 2 Units per Acre) zoning to the north and the R-E (Ranch Estates) zoning to the south and west. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 20 – Z-0034-02

MINUTES – Continued:

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This is a small portion that was not included in the Iron Mountain Master Plan, but is in the Centennial Hills Sector Plan. That plan calls for this property to be 3.5 units per acre. On the east side of Thom Boulevard there is R-PD5 (Residential Planned Development - 5 Units per Acre) zoning and on the east and north is R-PD2 (Residential Planned Development - 2 Units per Acre). This proposal is for 2.49 units per acre. The average lot size would be 12,000 square feet. He submitted a letter to the Clerk in opposition from Beverly Blaskey, 8020 Bradley Road, who has been working with his law firm and unable to attend this meeting.

COMMISSIONER BUCKLEY felt this is a transition piece between the R-PD5 (Residential Planned Development - 5 Units per Acre) and R-PD2 zoning (Residential Planned Development - 2 Units per Acre), so he made a motion for approval subject to the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 21 [Z-0034-02(1)] for further discussion.

(10:26 – 10:36)

3-2400

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. This site is limited to a maximum of 22 single-family dwelling units.

Public Works

4. Construct half-street improvements including appropriate overpaving on Thom Boulevard and Grand Teton adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 20 – Z-0034-02

CONDITIONS – Continued:

5. Extend public sewer to the north boundary of this site in Thom Boulevard to a location and depth acceptable to the City Engineer concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002

Planning and Development Department

Item 20 – Z-0034-02

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0034-02(1) - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN - Request for a Site Development Plan Review FOR A PROPOSED 26-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted At Meeting - Letter In Opposition

MOTION:

BUCKLEY – APPROVED subject to conditions and an additional condition that lot lines on the south end match up with property to the south – Motion carried with EVANS voting NO

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the proposed density of 3.49 units per acre is not compatible with the surrounding land uses and zoning districts. Additionally, the density exceeds the Rural Preservation Neighborhood limitations. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 21 – Z-0034-02(1)

MINUTES – Continued:

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. He submitted a letter to the Clerk in opposition from Beverly Blaskey, 8020 Bradley Road, who has been working with his law firm and unable to attend this meeting.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item 20 [Z-0034-02] for further discussion.
(10:26 – 10:36)
3-2400

CONDITIONS:

Planning and Development

1. A Rezoning (Z-0034-02) to a R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 21 – Z-0034-02(1)

CONDITIONS – Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. This site is limited to a maximum of 22 single-family dwelling units.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 21 – Z-0034-02(1)

CONDITIONS – Continued:

16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. Site development to comply with all applicable conditions of approval for Z-34-02 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - U-0064-02 - J AND K VILLANI TRUST - Request for a Special Use Permit FOR A MINOR AUTOMOTIVE REPAIR GARAGE on 1.05 acres located on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive (APN: 138-23-201-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

22

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

EVANS – ABEYANCE to 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

The applicant was not present.

ROBERT GENZER, Planning and Development, stated that at yesterday's City Council meeting the Extension of Time, which the Planning Commission had recommended denial, was held in abeyance for thirty days to the 9/4/2002 City Council meeting. Staff recommended that Item 22 [U-0064-02] and Item 23 [Z-0045-94(8)] be held until the 9/12/2002 Planning Commission meeting. The applicant was informed he would not have to attend this meeting because of the action taken by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 22, 2002
Planning and Development Department
Item 22 – U-0064-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [U-0064-02] and Item 23 [Z-0045-94(8)] was held under Item 22 [U-0064-02].

(6:29 – 6:31)

1-940

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0045-94(8) - J AND K VILLANI TRUST -
Request for a Site Development Plan Review FOR A MINOR AUTOMOTIVE REPAIR GARAGE FACILITY on 1.05 acres located on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive (APN: 138-23-201-003), U (Undeveloped) Zone[SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

22

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

EVANS – ABEYANCE to 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

The applicant was not present.

ROBERT GENZER, Planning and Development, stated that at yesterday's City Council meeting the Extension of Time, which the Planning Commission had recommended denial, was held in abeyance for thirty days to the 9/4/2002 City Council meeting. Staff recommended that Item 22 and Item 23 be held until the 9/12/2002 Planning Commission meeting. The applicant was informed he would not have to attend this meeting because of the action taken by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 22, 2002
Planning and Development Department
Item 23 – Z-0045-94(8)

MINUTES – Continued:

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [U-0064-02] and Item 23 [Z-0045-94(8)] was held under Item 22 [U-0064-02].

(6:29 – 6:31)

1-940

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0042-02(1) NORMAN J. KERR JR. AND DIANNA M. KERR ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Site Development Plan review FOR A PROPOSED 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.00 acres located adjacent to the northwest corner of Gowan Road and Cliff Shadows Parkway (APN's: 137-12-201-001 and 007), U (Undeveloped) Zone, [PCD (Planned Community Development) General Plan Designation], [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – STRICKEN - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

The applicant was not present.

PLANNING COMMISSION MEETING OF AUGUST 22, 2002
Planning and Development Department
Item 24 – Z-0042-02(1)

MINUTES – Continued:

ANDREW REED, Planning and Development, stated that this is a site plan review for property located off of Cliff Shadows Parkway. The related rezoning was withdrawn without prejudice at yesterday's City Council meeting. Therefore, staff would like the Site Development Plan Review to be stricken from this agenda.

No one appeared in opposition.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:28 – 6:29)

1-880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - VAC-0051-02 - MOUNTAIN SPA RESIDENTIAL DEVELOPMENT, LIMITED LIABILITY COMPANY ON BEHALF OF PULTE HOMES - Petition to vacate a 30 foot wide half-street of Horse Drive generally located east of Coke Street, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

122

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Petition In Opposition

MOTION:

TRUESDELL – APPROVED subject to conditions and Condition 3 amended to delete the last sentence and insert: If relocation is preferred, such relocation must occur prior to recordation of the Order of Vacation or, if the applicant provides proof that the sewer line is inactive an alternative security acceptable to Public Works may be posted in lieu of relocation prior to recordation of the Order of Vacation – Motion carried with BUCKLEY abstaining as his law firm represents the mortgage lender of Mountain Spa

To be heard by the City Council on 9/4/2002. Not to be heard before 4:00 p.m.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this Vacation will vacate a 30-foot wide portion of Horse Drive, which extends northerly from Coke Street. This portion of Horse Drive is not used for access to any parcels and will be incorporated in the future for the Silverstone Ranch development. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 25 – VAC-0051-02

MINUTES – Continued:

GREG BORGEL, 300 South 4th Street, appeared on behalf of Pulte Homes and consented to the conditions. Condition 3 requires the Order of Vacation to be recorded after the relocation of the sewer line, but bonds have to be posted for the improvements, along with the map. He requested an additional sentence be added to Condition 3 so the applicant has the option of bonding the relocation. DAVID GUERRA, Public Works, requested the last sentence in Condition 3 to read: If relocation is preferred, such relocation must occur prior to recordation of the Order of Vacation or, if the applicant provides proof that the sewer line is inactive an alternative security acceptable to Public Works may be posted in lieu of relocation prior to recordation of the Order of Vacation. BART ANDERSON, Public Works, added that if it is an inactive sewer line, then there is no problem with having the bond. However, if there is any activity in the sewer line, it must be relocated prior to the Vacation.

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with GREG BORGEL, 300 South 4th Street, on behalf of Pulte Homes.

CAROL BAILEY, Clark County School District, 4212 Eucalyptus Street, appeared in approval.

TODD FARLOW, 240 North 19th Street, appeared in approval.

PAM BAILEY, 6665 Jo Marcy Drive, appeared in protest.

BEVERLY COKE, 8325 Coke Street, appeared in approval.

BETH TAYLOR, 7670 Brent Lane, appeared in protest.

KENNETH CLARK, 8330 Coke Street, appeared in approval.

SHARON LINSENBARDT, 7280 Grand Teton Drive, appeared in protest.

JACK AVERY, 7235 Racel Street, appeared in protest.

KIMBERLY THOMAS, 6775 Whispering Sands, appeared in approval.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 25 – VAC-0051-02

MINUTES – Continued:

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 13 [Z-0075-91(13)] for further discussion.

(7:01 – 8:34)

1-2124

Recess

CONDITIONS:

1. This Petition of Vacation shall be modified to retain those portions of right-of-way necessary to terminate Buffalo Drive in a cul-de-sac meeting current City Standards. *(Public Works Department)*
2. Dedicate appropriate additional right-of-way to terminate Buffalo Drive in a cul-de-sac meeting current City Standards prior to recordation of the Order of Vacation. *(Public Works Department)*
3. This Petition of Vacation shall be modified to retain a public sewer easement centered over the existing public sewer in the Horse Drive/Buffalo Drive alignment, unless a plan to relocate the existing public sewer is submitted to and approved by the Department of Public Works. If relocation is preferred, such relocation must occur prior to recordation of the Order of Vacation. *(Public Works Department)*
4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *(Public Works Department)*
5. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works Department)*
6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development Department)*

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 25 – VAC-0051-02

CONDITIONS - Continued:

7. All development shall be in conformance with code requirements and design standards of all City departments. *(Planning and Development Department)*
8. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works Department)*
9. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development Department)*

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0045-02 - ELEANOR AND LEONARD ROSENSTEIN - Request for a Variance TO ALLOW A PROPOSED ADDITION TO AN EXISTING HOUSE TO BE SEVEN FEET EIGHT INCHES FROM THE SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 909 Cashman Drive (APN: 139-32-403-008), R-E (Residence Estates) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

NOTE: COMMISSIONER BUCKLEY stated this involves family members, but he has not discussed this item with them.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated the side of the lot where the setback reduction would occur is commercially-zoned property and would not have an adverse affect on adjacent residential properties. The requested deviation from code is 23.3%. There is evidence of a unique or extraordinary circumstance associated with this site and that the site lacks an alternative location where a room addition can be situated that would meet all required setbacks. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 26 – V-0045-02

MINUTES – Continued:

LEONARD ROSENSTEIN, 909 Cashman Drive, said he and his wife would like to have a bigger kitchen in their house. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:36 – 10:38)

3-2860

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. Submit complete plans to the Department of Building and Safety for review and permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0046-02 - ERIC L. DAVISON AND DAIDRA REED - Request for a Variance TO ALLOW A 3-FOOT SIDE YARD SETBACK, WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 1635 Hinson Street (APN: 162-06-601-020), R-E (Residence Estates) Zone; PROPOSED USE: PATIO COVER ENCLOSURE/ADDITION, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to staff's conditions with Condition 2 amended to indicate the side setback shall be no less than *three (3) feet* from the (south) property line for the building footprint and no less than three (3) feet for projection of architectural features, including roof eaves - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated there is no evidence of a unique or extraordinary circumstance that exists on the subject site and the applicant has not demonstrated any hardship. This request represents a 70% deviation from code. The applicant could find an alternative location for the building addition that meets Title 19A setback requirements. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 27 - V-0046-02

MINUTES – Continued:

GEORGE CURTIS, Curtis Construction Company, appeared on behalf of and with ERIC L. DAVISON, 1635 Hinson Street, the applicant. MR. CURTIS explained that this building has been in existence for several years but has deteriorated. They plan to renovate the building by replacing the roof, putting stucco on the sides and screens in the front of the house.

ERIC L. DAVISON, 1635 Hinson Street, said he purchased this property approximately two years ago. It has an existing patio structure that was built at the back of the house and a little to the side of the property. The roof is slanted and they want to cover it along with stuccoing the patio cover so it will be more compatible with the rest of the house. It would be difficult to relocate the patio.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:38 – 10:43)

3-2980

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The side setback shall be no less than five (5) feet from the (south) property line for the building footprint and no less than three (3) feet for projections of architectural features, including roof eaves.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Submit complete plans to the Department of Building and Safety for review and permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0050-02 - LAS VEGAS RESCUE MISSION - Request for a Variance TO ALLOW A PROPOSED DORMITORY BUILDING TO BE 13 FEET FOUR INCHES FROM THE SIDE PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED AND 18 FEET FROM THE FRONT PROPERTY LINE, WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on property located adjacent to the northwest corner of Bonanza Road and D Street (APN's: 139-27-310-080 and 081) C-2 (General Commercial), Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated that due to an error on the construction drawings, the building will encroach onto the side and front property lines. There are many industrial and warehouse buildings that are built up to the property lines. Granting this Variance will not be detrimental to the public good and will not impair the intent and purpose of the Zoning Code. Staff recommended approval subject to the conditions.

REBECCA RALSTON, Swisher & Hall Architects, 7373 Peak Drive, appeared with DAVID BLACKSMITH, Las Vegas Rescue Mission, 480 West Bonanza Road. MS. RALSTON said they concur with staff's conditions. She clarified that the error was not in the construction drawings, but in the base documents, which are the civil drawings.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 28 – V-0050-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.
(10:43 – 10:45)
3-3200

CONDITIONS:

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review [SD-0027-01].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0055-02 - COHEN FAMILY TRUST ET AL - Request for a Rezoning FROM: U (Undeveloped) [DR (Desert Rural) General Plan Designation] and R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) of 49.98 acres adjacent to the northwest corner of Jones Boulevard and Elkhorn Road (APN's: 125-14-703-001 and 125-14-802-001), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions – Motion carried with GOYNES voting NO and McSWAIN abstaining as U.S. Home, the applicant, is a client of her firm

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this zone change is compatible with the surrounding land uses and zoning districts. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 29 – Z-0055-02

MINUTES – Continued:

CHRIS ARMSTRONG, Carter & Burgess, 6655 Bermuda Road, appeared on behalf of the applicant. They held a neighborhood meeting with the property owners in the area. The owners were concerned about the lighting within the neighborhood and on the adjacent street, decorative wall, and mature landscaping on the adjacent perimeter. They are willing to plant 24-inch box trees. He concurred with staff's conditions and indicated he would submit to staff the residents' written conditions as they were not available at this meeting.

VICTOR SKAAR, 6130 Eisner Drive, appeared in protest. The surrounding area has one-acre lots. The property rights of the neighborhood residents should be taken into consideration. He was concerned about the lighting and additional traffic. This property should remain one-acre lots.

PEGGY PAPANDREA, 6290 Farm Road, appeared in protest. Her neighborhood is becoming surrounded by new developments, which impact the area with traffic and congestion.

MR. ARMSTRONG added that the lots vary in size from 30,000 square feet down to 12,500 square feet. The size of the homes will range from 2,600 square feet up to 4,000 square feet.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 30 [Z-0055-02(1)] for further discussion.

(10:45 – 10:58)

3-3350

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 29 – Z-0055-02

CONDITIONS – Continued:

Public Works

3. Submit a Petition of Vacation to the City of Las Vegas and Clark County, as appropriate, to vacate those portions of Maverick Street and Severance Lane adjacent to this site. Such Petitions of Vacation shall be acted upon by the City Council and County Commission prior to the submittal of a Final Map Technical Review for this site and the Orders of Vacation shall record prior to the recordation of any Final Maps overlying or adjacent to the areas to be vacated.
4. Dedicate 30 feet of right-of-way, including appropriate corner radii, adjacent to this site for Eisner Drive.
5. Construct half-street improvements including appropriate overpaving, if legally able, on Jones Boulevard and Elkhorn Road adjacent to this site concurrent with development of this site. Additionally, if a Petition of Vacation is not approved, construct half-street improvements for Maverick Street and Severance Lane concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Extend public sewer in Elkhorn Road to the west edge of this site concurrent with development of this site at a size, depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 29 – Z-0055-02

CONDITIONS – Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0055-02(1) - COHEN FAMILY TRUST ET AL - Request for a Site Development Plan Review FOR A PROPOSED 100 LOT SINGLE FAMILY DWELLING SUBDIVISION on 49.98 acres located adjacent to the northwest corner of Jones Boulevard and Elkhorn Road (APN's: 125-14-703-001 and 125-14-802-001) PROPOSED R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions and additional condition that applicant to work with staff in regard to street lighting and landscaping along the perimeter – Motion carried with GOYNES voting NO and McSWAIN abstaining as U.S. Home, the applicant, is a client of her firm

To be heard by the City Council on 9/4/2002.

MINUTES:

ANDREW REED, Planning and Development, stated that there are some drainage issues with this site that will require a redesign. The applicant has requested the Site Development Plan Review be held in abeyance until 9/12/2002 Planning Commission meeting, but would like Item 29 [(Z-0055-02)] to go forward at this meeting.

CHRIS ARMSTRONG, Carter & Burgess, 6655 Bermuda Road, appeared on behalf of the applicant and said they have decided to have this item heard with Item 29 [Z-0055-02].

CHAIRMAN GALATI announced this item would be heard in its normal order on the agenda.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 30 – Z-0055-02(1)

MINUTES – Continued:

CHAIRMAN GALATI brought this item forward after Item 28 [Z-0050-02] was heard.

CHRIS ARMSTRONG, Carter & Burgess, 6655 Bermuda Road, appeared on behalf of the applicant.

MR. REED said staff found the site plan reflects an adequate street layout and the open space requirements are met. Staff recommended approval subject to the conditions.

VICTOR SKAAR, 6130 Eisner Drive, appeared in protest.

PEGGY PAPANDREA, 6290 Farm Road, appeared in protest.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item 29 [Z-0055-02] for related discussion.

(10:45 – 10:58)

3-3350

CONDITIONS:

Planning and Development

1. A Rezoning [Z-0055-02] to an R-PD2 (Residential Planned Development, 4 units per acre) Zoning District be approved by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 30 – Z-0055-02(1)

CONDITIONS – Continued:

5. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 20 feet in the rear.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed access drives, prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 30 – Z-0055-02(1)

CONDITIONS – Continued:

14. All public drainage easements shall be located on common element lots and shall be privately maintained by a Homeowner's Association or Landscape Maintenance organization.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-55-02 and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0056-02 - JARRETT CHILDRENS TRUST ON BEHALF OF D.R. HORTON - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single Family Residential) and R-PD6 (Residential Planned Development - 6 Units per Acre) of approximately 37 acres located adjacent to the west side of Decatur Boulevard, between Deer Springs Way and Dorrell Lane (APN's: 125-24-604-001, 005, 006 and 125-24-603-005 and 008), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions with Condition 2 amended to insert *and* in place of *or* and the Site Development Plan Review to be heard *as a public hearing for the entire project* - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this rezoning to R-1 (Single Family Residential) and R-PD6 (Residential Planned Development – 6 Units per Acre) complies with the Medium Low Density General Plan designation for this property.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 31 – Z-0056-02

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent D. R. Horton, the developer of the western portion of this site. The Master Plan allows from 5.6 units per acre up to 8.0 units per acre. This application conforms to that plan and is below the minimum density. The average density for this project is 4.33 units per acre. There are some existing rural residences to the west and north of this site. There will be a park-like area on the eastern portion of this site with open space to the north to buffer the existing rural densities to the north. There are no rural densities to the south or east. This complies with the buffering requirements. A change was made to the site plan to eliminate one lot. ATTORNEY FIORENTINO requested one sentence in Condition 6 be amended to read: Rural street improvements shall be allowed on Dorrell Lane *and Thom Boulevard*; the developer shall construct a minimum of two lanes of permanent paving and shall provide decomposed granite adjacent to the pavement area.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the property owner. They did not centralize the park facilities because there are low-density homes to the north and felt the park served as a better buffer by placing it to the north.

TONY FERRO, 5000 Elkhorn Road, appeared in protest. The notice to the residents inviting them to a neighborhood meeting indicated an incorrect location of the meeting, so he would prefer this item be held in abeyance to allow time for another meeting to be held. He inadvertently discovered the location of the meeting and found there were no City representatives in attendance. This is not compatible with the surrounding neighborhood. There is a problem with drainage on Elkhorn Road.

RANDY THWING, 5001 Dorrell Lane, appeared in protest. He objected to the density. There are RE (Rural Estates) on three sides of this development.

PAUL RUNYAN, 4930 Dorrell Lane, appeared in protest. This is not compatible with the area.

MAUREEN RYAN, 4950 Dorrell Lane, appeared in protest. This is incompatible with the area. She was fearful that D.R. Horton will not keep the promises made to the residents. She received an incorrect notice of the neighborhood meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 31 – Z-0056-02

MINUTES – Continued:

MARLENE HARRISON, 4920 Dorrell Lane, appeared in protest. She was concerned about the lighting. This should be a single-story development to comply with the surrounding homes. There should not be more than three homes per acre. She would prefer rural streets with no streetlights or sidewalks. The wall around this development should be low. She objected to an entrance to this proposed development on Dorrell Lane. She read a letter from James and Rhonda Long, 4881 Donald Road, who feel that lower density is appropriate. They would like to see a buffer zone of low-density homes along Thom Boulevard and Dorrell Lane. The adjacent properties are horse owners so they would like this development to have a horse trail along the western edge.

TODD FARLOW, 240 North 19th Street, appeared in protest. He objected to the size of the lots.

ATTORNEY FIORENTINO appeared in rebuttal. This type of application would not have required a neighborhood meeting. However, D.R. Horton decided to hold a neighborhood meeting, but there was a typographical error in the notice. The applicant would be willing to work with the residents prior to the City Council meeting. He emphasized that the density is below the minimum density allowed in the Master Plan. This project will all be single story with no streetlights. This property is not surrounded on three sides by one-acre developments. To the south is a water treatment facility recently approved. To the east is substantially higher densities in North Las Vegas. The Vacation is appropriate irregardless of the rezoning.

ROBERT GENZER, Planning and Development, requested Condition 2 be amended to indicate *and* between Planning Commission and City Council and the Site Development Plan Review to be heard *as a public hearing for the entire project*.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 31 [Z-0056-02] and Item 32 [VAC-0055-02] was held under Item 31 [Z-0056-02].

(10:58 – 11:22)

4-220

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 31 – Z-0056-02

CONDITIONS – Continued:

2. A Site Development Plan Review application for the R-PD6 (Residential Planned Development – 6 Units Per Acre) portion of the site shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. The R-1 (Single Family Residential) portion of this site shall be limited to a maximum density of 3.0 dwelling units per acre.

Public Works

4. A Petition of Vacation, such as VAC-0055-02, to vacate the existing 60-foot right-of-way along the Jarrett Avenue alignment must record prior to the recordation of any Final Maps for this site.
5. Dedicate to the City of Las Vegas an additional 5 feet of right-of-way for a total radius of 20 feet on the northeast corner of Deer Springs Way and Thom Boulevard. Additionally, dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Decatur Boulevard and Deer Springs Road and an additional 5 feet of right-of-way for a total radius of 25 feet at the southwest corner of Decatur Boulevard and Dorrell Lane to the City of North Las Vegas until the Decatur Boulevard boundary dispute is finalized.
6. Construct half-street improvements including appropriate overpaving, where legally able, on Dorrell Lane, Thom Boulevard, Decatur Boulevard, and Deer Springs Way adjacent to this site concurrent with development of this site. In addition to the half street improvements on Thom Boulevard adjacent to this site, construct widened pavement on Thom Boulevard adjacent to Assessor Parcel Number #125-24-604-002. Install all appurtenant underground facilities, if any, adjacent to this site needed for future traffic signal systems concurrent with development of this site. Rural street improvements shall be allowed on Dorrell Lane; the developer shall construct a minimum of two lanes of permanent paving and shall provide decomposed granite adjacent to the pavement area. Curbing shall be installed if required by the Drainage Study. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 31 – Z-0056-02

CONDITIONS – Continued:

7. A Master Streetlight plan must be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings.
8. Extend public sewer in Deer Springs Way to the western edge of this site in an alignment, location, and to a depth acceptable by the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on-site circulation layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entrances shall be designed, located and constructed in accordance with Standard Drawing #222a.
10. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 31 – Z-0056-02

CONDITIONS – Continued:

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
12. A Homeowner's Association shall be established to maintain all perimeter walls, landscaping, private drives and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services.
14. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-0055-02 - JARRETT CHILDRENS TRUST - Petition of Vacation to vacate a portion of Jarrett Avenue generally located between Thom Boulevard and Decatur Boulevard, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this right-of-way is excess and not required. Staff recommended approval subject to the conditions.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent D. R. Horton, who is the developer of the western portion of this site.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the property owner.

TONY FERRO, 5000 Elkhorn Road, appeared in protest.

RANDY THWING, 5001 Dorrell Lane, appeared in protest.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 32 – VAC-0055-02

MINUTES – Continued:

PAUL RUNYAN, 4930 Dorrell Lane, appeared in protest.

MAUREEN RYAN, 4950 Dorrell Lane, appeared in protest.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 31 [Z-0056-02] and Item 32 [VAC-0055-02] was held under Item 31 [Z-0056-02].

(10:58 – 11:22)

4-220

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Z-0056-02 may be used to satisfy this condition.
2. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 32 – VAC-0055-02

CONDITIONS – Continued:

4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0057-02 - TOWN CENTER VENTURES, LIMITED LIABILITY COMPANY ON BEHALF OF PAGEENTRY HOMES - Request for a Rezoning of 20 acres adjacent to the southwest corner of Fort Apache Road and Gilcrease Avenue (APN: 125-18-601-002 through 005), FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: TC (Town Center); PROPOSED USE: MEDIUM DENSITY MIXED RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to conditions with Condition 3 amended to insert *and* in place of or - **UNANIMOUS**

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that all the property along the west side of Fort Apache Road is designated Town Center. This proposal is compatible with the surrounding area. The Special Use Permit is necessitated by the gated community and private streets. The Town Center design standards and density standards will be met. Staff will continue to work with the applicant on the site plan. Staff recommended approval of the Zoning and Special Use Permit.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 33 – Z-0057-02

MINUTES – Continued:

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, #100, appeared on behalf of the applicant. He concurred with staff's conditions.

TODD FARLOW, 240 North 19th Street, appeared in protest. Town Center is supposed to be a walkable pedestrian friendly area. Gated communities do not belong in Town Center.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 33 [Z-0057-02] and Item 34 [U-0094-02] was held under Item 33 [Z-0057-02].

(11:22 – 11:26)

4-1000

CONDITIONS:

Planning and Development

1. The developer shall grant appropriate trail easements and construct and maintain the trail as required by the Planning and Development Department.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Gilcrease Avenue, 50 feet for Fort Apache Road, 40 feet for Tee Pee Lane, a 25-foot radius on the southeast corner of Tee Pee Lane and Gilcrease Avenue and a 54-foot radius on the southwest corner of Gilcrease Avenue and Fort Apache Road.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 33 – Z-0057-02

CONDITIONS – Continued:

5. Construct half-street improvements meeting Town Center Standards, including appropriate overpaving if legally able, on Tee Pee Lane, Gilcrease Avenue, and Fort Apache Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The cross section as shown for Gilcrease Avenue and Tee Pee Lane does not meet the Town Center standards for a Town Center Residential Collector street.
6. Extend public sewer from a location and in an alignment acceptable to the City Engineer to the west edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002

Planning and Development Department

Item 33 – Z-0057-02

CONDITIONS – Continued:

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0094-02 - TOWN CENTER VENTURES, LIMITED LIABILITY COMPANY ON BEHALF OF PAGEENTRY HOMES - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 20.0 acres adjacent to the southwest corner of Fort Apache Road and Gilcrease Avenue (APN: 125-18-601-002 through 005), U (Undeveloped) Zone [PROPOSED: T-C (Town Center)] [M-TC (Medium Density Residential - Town Center) Land Use Designation], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff recommends approval of the Zoning and Special Use Permit.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, #100, appeared on behalf of the applicant.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 34 – U-0094-02

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, appeared in protest.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 33 [Z-0057-02] and Item 34 [U-0094-02] was held under Item 33 [Z-0057-02].

(11:22 – 11:26)

4-1000

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0057-02) and Site Development Plan Review [Z-0057-02 (1)].
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Private streets shall be identified as “Public Drainage Easements to be privately maintained” and shall also provide public sewer easements.
5. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
6. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
7. Site development to comply with all previous conditions of approval for Zoning Reclassification Z-0057-02 and Site Development Plan Review Z-0057-02(1) and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0057-02(1) - TOWN CENTER VENTURES, LIMITED LIABILITY COMPANY ON BEHALF OF PAGEANTRY HOMES - Request for a Site Development Plan Review FOR A PROPOSED 341-UNIT, MEDIUM DENSITY MIXED RESIDENTIAL DEVELOPMENT (CONSISTING OF 176 CONDOMINIUMS AND 165 APARTMENTS) on 20.0 acres (PROPOSED DENSITY OF 17.05 DWELLING UNITS PER ACRE) adjacent to the southwest corner of Fort Apache Road and Gilcrease Avenue (APN: 125-18-601-002 through 005), U (Undeveloped) Zone [M-TC (Medium Density Residential - Town Center) Land Use Designation], [PROPOSED: T-C (Town Center)] Zone Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESDELL – ABEYANCE to the 9/12/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, Suite 100, appeared on behalf of the applicant and requested this item be held in abeyance to the 9/12/2002 Planning Commission meeting. However, they would like related Item 33 [Z-0057-02] and Item 34 [U-0094-02] heard at this meeting. He asked which City Council meeting this item would be heard at if it is held in abeyance at this meeting.

ROBERT GENZER, Planning and Development, replied that it would be heard at the 10/2/2002 City Council meeting.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 35 – Z-0057-02(1)

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.
(6:35 – 6:37)
1-1130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0058-02 - NEVADA HOMES GROUP, INC. - Request for Rezoning of 2.5 acres FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units per Acre), located adjacent to the southwest corner of Buffalo Drive and Ahey Road (APN 138-09-601-014); PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to conditions and Condition 2 amended to insert *and* in place of or - **UNANIMOUS** with **TRUESDELL** abstaining inasmuch as his father-in-law owns property directly across the street

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the proposed density will allow for single-family dwellings at a density comparable to the existing surrounding residential development. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 36 – Z-0058-02

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent the applicant. This application had previously been approved. The neighbors were concerned about the density. At the time this project was approved by the City Council it was hoped that the applicant would be able to acquire the undeveloped piece. It was designed with a cul-de-sac so that if that piece was acquired it would just extend down, which has been accomplished. The landscaping will extend all the way up Buffalo Drive. This is now a ten acre gated community. COUNCILMAN BROWN urged the applicant to acquire that site because oftentimes developers leave a corner out and come back with a different development.

CHAIRMAN GALATI wondered about the provision for open space. GREG BORGEL, 300 South 4th Street, responded that the open space has been reduced from the code requirement because the neighbors were not interested in a park. COMMISSIONER McSWAIN recalled that one reason for reducing the open space was because this development would have access to school playgrounds. ATTORNEY KAEMPFER clarified that there is a park and two schools in the area. There are two lots along the west side of this property. He felt the applicant has complied with the neighbors' and Councilman's requests. In addition, there will not be any R-V parking.

MR. CLAPSADDLE requested Condition 2 be amended to insert ***and*** in place of or.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item 37 [V-0043-02] and Item 38 [Z-0058-02(1)] for related discussion.
(11:26 – 11:40)

4-1140

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 36 – Z-0058-02

CONDITIONS – Continued:

Public Works

3. The Final Map for Day Dawn Estates must record prior to or concurrent with the Final Map for this site and must provide legal access as depicted on this map, unless an alternative access plan is submitted to and approved by the City of Las Vegas.
4. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
5. Construct half-street improvements including appropriate overpaving, if legally able, on Ahey Road and Buffalo Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Alternatively, the applicant may participate in the public improvement project for Ahey Road and Buffalo Drive.
6. Extend the public sanitary sewer in Buffalo Road from Gowan Road to service this site in a size, to a location, and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 36 – Z-0058-02

CONDITIONS – Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
9. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0043-02 - NEVADA HOMES GROUP, INC. - Request for a Variance TO ALLOW ELIMINATION OF THE REQUIRED OPEN SPACE FOR A RESIDENTIAL PLANNED DEVELOPMENT WHERE 9,343 SQUARE FEET IS REQUIRED on property located adjacent to the southwest corner of Buffalo Drive and Ahey Road (APN 138-09-601-014), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation]; PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – NO RECOMMENDATION - Motion for approval resulted in a tie vote with BUCKLEY, EVANS, and GALATI voting NO and TRUESDELL abstaining inasmuch as his father-in-law owns property directly across the street

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant has created a self-imposed hardship by proposing to develop a single-family residential development without the minimum required open space. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 37 – V-0043-02

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, and GREG BORGEL, 300 South 4th Street, appeared in order to represent the applicant.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item 36 [Z-0058-02] and Item 38 [Z-0058-02(1)] for related discussion.
(11:26 – 11:40)

4-1140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0058-02(1) - NEVADA HOMES GROUP, INC. - Request for a Site Development Plan Review FOR A PROPOSED 13-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON 2.5 ACRES AND FOR A WAIVER TO ELIMINATE THE REQUIRED PERIMETER LANDSCAPING ALONG A PUBLIC RIGHT-OF-WAY, located adjacent to the southwest corner of Buffalo Drive and Ahey Road (APN: 138-09-601-014), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation]; PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – NO RECOMMENDATION - Motion for approval resulted in a tie vote with **BUCKLEY, EVANS, and GALATI** voting **NO** and **TRUESDELL** abstaining inasmuch as his father-in-law owns property directly across the street

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this proposal does not comply with the open space requirements of Title 19A. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 38 – Z-0058-02(1)

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, and GREG BORGEL, 300 South 4th Street, appeared in order to represent the applicant.

COMMISSIONER McSWAIN asked the justification for eliminating the perimeter landscaping on Ahey Road at the City Council meeting. MR. BORGEL responded that there is a program contemplated on Ahey Road that might involve reducing the street width. ROBERT GENZER, Planning and Development, was of the understanding that the elimination of the perimeter landscaping was because the project to the west does not have landscaping.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item 36, [Z-0058-02] and Item 37 [V-0043-02] for related discussion.

(11:26 – 11:40)

4-1140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0059-02 - TROP-JONES ET AL ON BEHALF OF US HOME CORPORATION - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) and R-PD3 (Residential Planned Development - 3 Units per Acre) of approximately 15 acres located adjacent to the west side of Jones Boulevard, between Tropical Parkway and Bullring Lane (APN's: 125-26-604-004 through 006 and 009 through 011), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions with Condition 3 amended to insert *and* in place of or - **UNANIMOUS** with McSWAIN abstaining as US Home Corporation is a client of her firm

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this type of use is allowable and the requested rezoning will be consistent with the existing DR (Desert Rural) designation for the west portion of this site and the proposed R (Rural) General Plan designation on the east portion of the site. This rezoning will allow a development of a residential use that can be compatible with the surrounding properties. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 39 – Z-0059-02

MINUTES – Continued:

RUSSELL SKUSE, Tetra Tech, Inc., 400 North Buffalo Drive, #100, appeared on behalf of the applicant.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 39 [Z-0059-02] and Item 40 [Z-0059-02(1)] was held under Item 39 [Z-0059-02].

(11:40 – 11:43)

4-1670

CONDITIONS:

Planning and Development

1. A General Plan Amendment for the east portion of the site [GPA-0025-02] to an R (Rural) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements, including appropriate overpaving, on Bullring Lane, Jones Boulevard and Tropical Parkway adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
5. Extend public sewer from a location and in an alignment acceptable to the City Engineer to the west edge of this site in a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 39 – Z-0059-02

CONDITIONS – Continued:

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0059-02(1) - TROP-JONES ET AL ON BEHALF OF US HOME CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 41-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on approximately 15 acres located adjacent to the west side of Jones Boulevard, between Tropical Parkway and Bullring Lane (APN's: 125-26-604-004 through 006 and 009 through 011), R-E (Residence Estates) Zone, PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre) and R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions with Condition 5 amended to change the rear yard setback to 15 feet from 16 feet – **UNANIMOUS** with McSWAIN abstaining as US Home Corporation is a client of her firm

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the proposed density of 2.73 units per acre is compatible with the surrounding land uses and zoning districts. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 40 – Z-0059-02(1)

MINUTES – Continued:

RUSSELL SKUSE, Tetra Tech, Inc., 400 North Buffalo Drive, #100, appeared on behalf of the applicant.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 39 [Z-0059-02] and Item 40 [Z-0059-02(1)] was held under Item 39 [Z-0059-02].

(11:40 – 11:43)
4-1670

CONDITIONS:

Planning and Development

1. A Rezoning [Z-0059-02] of the east portion of the site to an R-PD3 Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 16 feet in the rear.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 40 – Z-0059-02(1)

CONDITIONS – Continued:

8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The proposed gated entrance shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. A Master Streetlight Plan shall be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 40 – Z-0059-02(1)

CONDITIONS – Continued:

17. Site development to comply with all applicable conditions of approval for Z-0059-02 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0086-02 - DECATUR SHOPPING CENTER ASSOCIATION ON BEHALF OF JUAN JOSE DIAZ - Request for a Special Use Permit TO ALLOW A BANQUET FACILITY on property located at 1401 North Decatur Boulevard, Suite 13 (APN 138-25-503-007), C-1(Limited Commercial) Zone, Ward 1 (M.McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this banquet facility is a compatible use in the commercial center. A condition is recommended regarding the closure of the opening space on the south towards the residential development during events.

JUAN and ELISA DIAZ, Decatur Shopping, 2404 Kirk Avenue, appeared in order to represent the application. They concurred with staff's conditions.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. He requested a one-year review. CHAIRMAN GALATI said there is a condition regarding a one-year review.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 41 – U-0086-02

MINUTES – Continued:

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:43 – 11:45)

4-1830

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one (1) year after the approval, this Special Use Permit shall be void unless an Extension of Time is granted by the City Council.
2. In accordance with Chapter 19A.20 of the Las Vegas Zoning Code, alcoholic beverages shall not be sold except during events.
3. Any doors or other apertures at the rear (south) side of the subject business space shall remain closed during the duration of every banquet event, except for emergency access needs.
4. No outdoor activities in connection with the banquet use shall be conducted on this site.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Conformance to the conditions of approval for Zoning reclassification (Z-0018-62) and all other applicable site related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0087-02 - ELTON J. EBARB ON BEHALF OF AARDVARK BAILBONDS INC. - Request for a Special Use Permit FOR A BAILBONDS SERVICE on property located at 105 East Bonneville Avenue (APN: 139-34-311-033), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESDELL – TABLED - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated that this is a request for a bailbond service on Bonneville Avenue. The applicant has requested this item be tabled.

HEAR LABOUZ, 3765 Pacific Street, appeared in order to represent the applicant. They want to see which direction the Downtown Redevelopment Plan takes.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 42 – U-0087-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:31 – 6:33)

1-980

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0089-02 - KRISHNA INC. ON BEHALF OF BAHRAM-GANJEI
- Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-
PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET on
property located at 124 South 6TH Street (APN: 139-34-611-051), C-2 (General Commercial),
Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

**GOYNES – DENIED – Motion carried with QUINN voting NO and TRUESDELL
abstaining as his office is located in close proximity**

This is final action.

MINUTES:

CHAIRMAN GALATI brought this item forward after Item 57 [DB-0003-02] and declared the
Public Hearing open.

LAURA MARTIN, Planning and Development, stated this sign is located a block south of the
Fremont Street Experience and Neonopolis. The Downtown Centennial Plan encourages
diversity of land uses within a framework to achieve long-term vitality and economic growth.
Alcohol is readily available within the area. Approval of this request could lead to a saturation
of the use of alcohol. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 43 – U-0089-02

MINUTES – Continued:

RUTH BAHRAM-GANJEI, 221 Mission New Part Lane, #202, appeared in order to represent the application. The nearest store that sells alcohol is a 7-Eleven convenience store at Fremont Street and Las Vegas Boulevard. They are leasing this store.

COMMISSIONER GOYNES felt this would encourage undesirable activities, particularly in the adjacent alley.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:53 – 10:01)

3-1040

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0090-02 - ZAIMA INTERNATIONAL - Request for a Special Use Permit to allow a PSYCHIC ARTS business on property located at 2914 Lake East Drive (APN 163-08-611-035), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated the Psychic Arts business will be located in a tenant space of an existing commercial building. The use will be compatible with the surrounding area and will not generate high noise levels or high traffic volumes. It can be conducted in a manner that is harmonious with the area. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 44 – U-0090-02

MINUTES – Continued:

MARGO PIPER, Margo Piper Seek Unique, 5700 Cliff Point Court, appeared on behalf of the application. She has a business at 2914 Lake East Drive and would like to offer psychic arts along with the business. She concurred with staff's conditions.

DOUGLAS GEINZER, 3057 Waterside Circle, appeared in protest. He was unclear as to what psychic arts involves. He was concerned that the center is lowering its bar. MS. PIPER explained that psychic arts involves the reading of cards. Her business consists primarily of a gift shop.

CHRIS CHRISTOFF, 335 West Cincinnati Avenue, felt that if the landlord wants to lease to her and she has documentation to verify this use it should be approved.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:45 – 11:50)

4-1880

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for Astrologer, Hypnotist, or Psychic Art and Science use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0091-02 - URBAN LAND OF NEVADA - Request for a Special Use Permit to allow the SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE on property located at 400 West Sahara Avenue, (APN 162-04-807-001), C-1 (Limited Commercial) Zone, Ward 1 (M.McDonald).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS and TRUESDELL voting NO

To be heard by the City Council on 9/4/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated that alcohol is readily available in the area and that an additional location will lead to a saturation of that use. The Metropolitan Police Department has records that indicate there were 99 calls over a one-year period in this area. The addition of alcohol sales will exasperate that situation and compromise the public health, safety and welfare. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 45 – U-0091-02

MINUTES – Continued:

GURJETT S. SEKHON, 400 West Sahara Avenue, appeared on behalf of the application.

CHRIS CHRISTOFF, 335 West Cincinnati Avenue, appeared as a concerned citizen. Persons owning property in the area should take it upon themselves to clean up their properties. A lot of the residents purchase their items at this store inasmuch as there are 4,000 items for sale. At the present time, the residents have to go to another area to purchase beer and wine. Approval of this application would make the owner more competitive with the other stores in the area and have a successful operation.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. It sounds like this is a grocery store, not a convenience store. The neighbors seem to be in favor of this request, but it should be approved with a one-year review.

COMMISSIONER EVANS felt this area is changing and he did not feel this would be an improvement.

COMMISSIONER McSWAIN felt this is a unique situation in that the neighbors would like to purchase beer and wine along with their groceries.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:50 – 11:58)

4-2100

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year after this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. This use shall be subject to review by the Planning Commission and the City Council one year from the final approval of this Special Use Permit at which time the Special Use Permit may be revoked.
3. Sale of alcoholic beverages shall be limited to the sale of beer and wine only.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 45 – U-0091-02

CONDITIONS – Continued:

4. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited.
5. Approval of this Special Use permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code.
7. All City Code Requirements and all City departments' design standards shall be met.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0092-02 - JOSE E. ARAGON ON BEHALF OF CINGULAR WIRELESS - Request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 808 South First Street (APN: 139-34-310-009) C-M (Commercial/Industrial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

BUCKLEY – DENIED - UNANIMOUS

This is Final Action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated there is a Nevada Power substation approximately 450 feet to the north where a monopole would be less visually obtrusive. Additionally, there are 80-foot tall transmission line poles in the immediate area where antennas could be placed, thereby eliminating the requirement for a new tower. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 46 – U-0092-02

MINUTES – Continued:

TRACY CLINE, Cingular Wireless, 1211 Town Center Drive, #100, appeared in order to represent the application. Most of their sites are rooftops, co-locations, sign attachments and power poles. Some of the sites will not fit into that category, which includes this site. Staff objected to this property in that it is not attractive. The coverage objective is the Clark County Government Center. There are many 80-foot tall power poles available in the area, but not available for this use because this pole would have to be placed at about 30 or 35 feet due to the fact there are cable TV or cell phone lines on those poles. This area is included in the Downtown Centennial Plan.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. He felt the revenue derived from the poles should be used to upgrade the property.

COMMISSIONER TRUESDELL felt that there are several other locations in the area where this pole could be placed.

COMMISSIONER McSWAIN wondered why this industry has not evolved beyond a pole with wires on top. She does not want to support property owners who derive revenue from the poles, but do not put any of that revenue back into their property.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:58 – 12:08)

4-2460

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0093-02 - BUFFALO CANYON LIMITED LIABILITY COMPANY ON BEHALF OF CINGULAR WIRELESS - Request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 1571 North Buffalo Drive (APN: 138-28-501-009) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation)] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN - DENIED - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated there are many 80-foot tall Nevada Power Company transmission line poles in the immediate area where antennas could be placed thereby eliminating the requirement for a new tower. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 47 – U-0093-02

MINUTES – Continued:

TRACY CLINE, Cingular Wireless, 1211 Town Center Drive, #100, appeared in order to represent the application. The coverage objective at this site is the busy intersection at Vegas Drive and Buffalo Drive. This site would provide in-building coverage to the residential customers in the area. There is no space on the Nevada Power Company poles. At this location, there would not be a place to put the ground equipment. There are no structures in the area that reach the height that would be needed. They approached other retail and commercial owners in the area, but could not obtain approval for this pole.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. He thought the City had done a study of camouflaged poles, but never heard the outcome of that study.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(12:08 – 12:12)

4-2970

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0095-02 - WENDY'S LAS VEGAS INC. ON BEHALF OF CINGULAR WIRELESS - Request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 4400 West Sahara Avenue (APN: 162-06-402-007) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – DENIED - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated there are many pole signs in the immediate area where antennas could be placed; thereby eliminating the requirement for a new tower. Specifically, there is a McDonald's across Sahara Avenue, which has a 100-foot tall pole sign. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 48 – U-0095-02

MINUTES – Continued:

TRACY CLINE, Cingular Wireless, 1211 Town Center Drive, #100, appeared in order to represent the application. The coverage objective is the Sahara/Arville intersection and the commercial areas around it. They hope to achieve some in-building coverage to the residences around that commercial area. They have a master license agreement with McDonald's. However, McDonald's is planning to redevelop this property and did not want to tie up any ground space. There were concerns that the sign may be non-conforming. There is nothing else in the area that would be tall enough.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(12:12 – 12:16)

4-3200

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0096-02 - McDONALD'S CORPORATION ON BEHALF OF CINGULAR WIRELESS - Request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 6360 West Charleston Boulevard (APN: 138-35-403-004) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – DENIED – UNANIMOUS with TRUESDELL abstaining as McDonald's is a client of his architectural firm

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated there are other locations in the vicinity where a wireless communication facility would be more appropriate, such as the Community College and the West Charleston Library. Also, there is a Terrible Herbst service station immediately to the west. Staff recommended denial.

TRACY CLINE, Cingular Wireless, 1211 Town Center Drive, #100, appeared in order to represent the application.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 49 – U-0096-02

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. This monopole could increase revenue for the college.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 49 [U-0096-02] and Item 50 [V-0048-02] was held under Item 49 [U-0096-02].

(12:16 – 12:23)

4-3420

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0048-02 - McDONALD'S CORPORATION ON BEHALF OF CINGULAR WIRELESS - Request for a Variance TO ALLOW A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TO BE 15 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 6360 West Charleston Boulevard (APN: 138-35-403-004) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – DENIED – UNANIMOUS with TRUESELLE abstaining as McDonald's is a client of his architectural firm

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated there is no hardship and approval of this Variance could impede development of the property to the north. Staff recommended denial.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 50 – V-0048-02

MINUTES – Continued:

TRACY CLINE, Cingular Wireless, 1211 Town Center Drive, #100, appeared in order to represent the application. They are in discussions with the college concerning a master agreement. That property would be a last resort since it takes four to six months to get approval from the Board of Regents and is quite costly. In regard to the Terrible Herbst service station, that owner usually does not want wireless facilities on their flagpoles. The rooftops in the area are not high enough. All the light standards in the McDonald's parking lot are on their property line, which would be a good location for this monopole.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 49 [U-0096-02] and Item 50 [V-0048-02] was held under Item 49 [U-0096-02].

(12:16 – 12:23)

4-3420

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-0056-02 - CLARK COUNTY SCHOOL DISTRICT - Petition of a Vacation to vacate a portion of Conough Lane generally located south of Elkhorn Road, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions – **UNANIMOUS** with **GALATI** and **QUINN** abstaining as their firms are involved with the Clark County School District

To be heard by the City Council on 9/4/2002.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this Vacation will eliminate the westerly 30 feet of Conough Lane. It will not eliminate public access to any abutting parcels and the right-of-way is unnecessary. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 51 – VAC-0056-02

MINUTES – Continued:

ERNIE FREGTIARO, Integrity Engineering, 2480 East Tompkins Avenue, #232, appeared on behalf of the Clark County School District. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:23 – 12:26)

5-120

CONDITIONS:

1. Submit a plan acceptable to the Department of Public Works indicating how the area to be vacated will be incorporated into the abutting properties and not become an unmaintained “no-man’s land” prior to recordation of an Order of Vacation.
2. This Petition of Vacation shall be modified to only include that portion of Conough Lane from the end of the proposed cul-de-sac southward.
3. This Petition of Vacation shall be modified to retain a 20-foot wide sewer easement centered over the existing public sewer line in Conough Lane.
4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by Z-0054-01 may be used to satisfy this condition.
5. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. Existing public streetlights shall be removed and returned to the City yard.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 51 – VAC-0056-02

CONDITIONS – Continued:

6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
7. All development shall be in conformance with code requirements and design standards of all City departments.
8. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
9. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-0054-02 - THE ROMAN CATHOLIC CHURCH OF LAS VEGAS - Petition of Vacation to vacate a portion of Lewis Avenue between Thirteenth Street and Fourteenth Street and to vacate a public alley, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions with Condition 7 amended to two (2) years
– **UNANIMOUS** with **GALATI** abstaining as The Roman Catholic Church of Las Vegas is a client of his architectural firm

To be heard by the City Council on 9/4/2002.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated this Vacation will vacate the north 15 feet of Lewis Avenue and the public alley that runs through the adjacent site. This Vacation will not eliminate any public access to any abutting parcels and this right-of-way is deemed unnecessary by City staff. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 52 – VAC-0054-02

MINUTES – Continued:

AMADOR BENGOCHEA, 1483 Dressen Avenue, General Contractor, appeared on behalf of the church. Currently the school leaders are determining where they are going to locate their new buildings. Eventually they are going to tear down the existing school and build a new campus on the same site. There is a sewer easement that staff wants kept in place, but it may have to be relocated. Therefore, they would like to have the Order of Vacation extended to two (2) years as they plan to open the new campus in the fall of 2004. Another condition is to take out some existing curb cuts. That will impede parents from picking up their children.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item 54 [SD-0032-02] for related discussion.

(12:26 – 12:37)

5-160

CONDITIONS:

1. Retain a 20 foot wide public sewer easement for the existing public sewer currently located in this alley, unless a plan to relocate such sewer is submitted to and approved by the Department of Public Works. Such sewer relocation, if proposed, shall be constructed and operational prior to recordation of the Order of Vacation for this site.
2. Retain appropriate radii at the corner of 13th Street & Lewis Avenue and the northwest corner of 14th Street & Lewis Avenue.
3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. If the alley is no longer to be used for vehicular traffic, the existing curb cuts shall be removed and replaced with sidewalk, curb, and gutter meeting current City Standards.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City Departments.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 52 – VAC-0054-02

CONDITIONS – Continued:

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - Z-0020-97(37) - UNIVERSITY MEDICAL CENTER - Request for a Site Development Plan Review; a waiver of the required perimeter and parking lot landscaping; and a waiver of certain Medical District Design Standards FOR A PROPOSED 204-SPACE PARKING LOT on 1.68 acres located at 625 Tonopah Drive, 2008 and 2012 Valerie Street and 720 Rose Street (APN: 139-33-302-028 through 030 and 032, PD (Planned Development) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – WITHDRAWN WITHOUT PREJUDICE - UNANIMOUS

NOTE: CHAIRMAN GALATI and COMMISSIONER BUCKLEY announced that Clark County is a client of their firms, but they would be voting on a withdrawal motion.

MINUTES:

ANDREW REED, Planning and Development, stated this is a parking lot located within a medical district. The applicant has requested this item be withdrawn without prejudice.

There was no further discussion.

(6:34 – 6:35)

1-1056

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SD-0032-02 - ROMAN CATHOLIC CHURCH OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 31 SPACE PARKING LOT on 1.30 acres located on the northeast corner of Lewis Avenue and 13TH Street (APN: 139-35-410-005) C-V (Civic) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BUCKLEY – APPROVED subject to conditions – UNANIMOUS with GALATI abstaining as The Roman Catholic Church of Las Vegas is a client of his architectural firm

To be heard by the City Council on 9/4/2002.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

LAURA MARTIN, Planning and Development, stated the 31-space parking lot would be an expansion of an existing parking lot for a school. The parking lot and landscape plans do not meet the requirements of Title 19A in the Las Vegas Urban Design Guidelines and Standards. Staff has recommended additional conditions regarding landscape plantings as well as parking lot screening walls to insure compatibility with City plans, policies and standards. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 54 – SD-0032-02

MINUTES – Continued:

AMADOR BENGOCHEA, 1483 Dressen Avenue, General Contractor, appeared on behalf of the church. Staff has requested 24-inch box trees, but they would like to provide those trees when the full landscape plan and campus plan have been developed.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item 52 [VAC-0054-02] for related discussion.

(12:26 – 12:37)

5-160

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Handicapped accessible parking shall be provided and designed in accordance with Section 19A.10.010(G) of the Las Vegas Zoning Code.
3. Twenty-four-inch box trees shall be provided in the landscape planters adjacent to Thirteenth Street, Lewis Avenue, and within the parking area as required by Chapter 19A.12 of the Las Vegas Zoning Code and the Las Vegas Urban Design Guidelines and Standards; remove any extraneous concrete from the landscape planters.
4. Parking lot screening walls shall be required in conjunction with the landscape planters adjacent to Thirteenth Street and Lewis Avenue in accordance with Subchapter 19A.12.030 of the Las Vegas Zoning Code; the use of chain link fencing is prohibited.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002

Planning and Development Department

Item 54 – SD-0032-02

CONDITIONS – Continued:

7. Parking lot lighting standards shall be no more than twenty (20) feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding twenty-seven (27) cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate a 20 foot radius on the northeast corner of Lewis Avenue & 13th Street, dedicate a 25 foot radius on the southeast corner of 13th Street & Bridger Street, dedicate a 15-foot radius on the northwest corner of 14th Street & Lewis Avenue and dedicate a 20-foot radius on the southwest corner of 14th Street & Bridger Street prior to the issuance of any permits. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.
13. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

PLANNING COMMISSION MEETING OF AUGUST 8, 2002
Planning and Development Department
Item 54 – SD-0032-02

CONDITIONS – Continued:

15. Vacation Application VAC-0054-02 must be approved by the City Council prior to the issuance of any permits for the proposed chain link fence to be constructed across the public alley. Also, the proposed access gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before stopping to operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
16. Landscape and maintain all unimproved right-of-way on Lewis Avenue and 13th Street adjacent to this site.
17. Submit an Encroachment Agreement for all private improvements located in the Lewis Avenue and 13th Street public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - TA-0007-02 - CITY OF LAS VEGAS - Discussion and possible action to amend Section 19.06.110.E of the Zoning Code to clarify the landscaping requirement for projects in the Centennial Hills Town Center, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE to 8/22/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this application is a City initiated Text Amendment regarding Town Center landscape standards. Staff would like this item held in abeyance until the 8/22/2002 Planning Commission meeting.

There was no discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:35 – 6:36)

1-1100

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - DB-0009-02 - CITY OF LAS VEGAS - Appointment of one (1) Planning Commissioner to fill an upcoming vacancy on the Centennial Hills Architectural Review Committee.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE to 8/22/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

VICE CHAIRMAN TRUEDELL brought this item forward after Item 54 [SD-0032-02].

CHAIRMAN GALATI requested this item be held in abeyance until the 8/22/2002 Planning Commission meeting.

There was no further discussion.

(12:37 – 12:38)

5-500

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - DB-0003-02 - CITY OF LAS VEGAS - Discussion and possible action to amend the City of Las Vegas zoning code by creating Title 19A.06.120 Downtown Entertainment Overlay District to create special standards within a Special Sub-district of the geographic area of that overlay district, bounded by Las Vegas Boulevard on the west; Ogden Avenue on the north; 8th Street on the east; and by Carson Avenue on the south, APN: (Multiple); Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

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RECOMMENDATION:

Staff recommends AMEND TITLE 19A AS INDICATED

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESEDELL – TABLED – Motion carried with EVANS and QUINN voting NO

MINUTES:

CHAIRMAN GALATI called this item forward after Item 13 [Z-0075-91(13)] and Item 25 [VAC-0051-02] were heard and declared the Public Hearing open.

MARGO WHEELER, Planning and Development, stated this Text Amendment is for the area of East Fremont Street, immediately adjacent to the current Fremont Street Experience, the Neonopolis and the public parking garage. The intent of this ordinance is to create a new Entertainment District, which has two principle components with regard to the City's existing Zoning Ordinance.

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MINUTES – Continued:

First is the elimination of the distance requirement for on-sale alcohol which would allow the concentration of liquor and entertainment uses within this area. The idea is to create a district for non-gaming entertainment that entails musical venues, restaurants and taverns in this particular area so that patrons may walk between the individual uses and frequent many of the nightclubs in the area, in addition to the gaming entertainment in the Fremont Street Experience.

Second is that no additional parking would be required for these types of uses. There is substantial surface level parking in this area and the two large parking structures containing over 2,000 parking spaces immediately to the west. Therefore, staff believes that there is sufficient parking to accommodate the proposed uses in this area. There is a specific procedure being proposed to allow for these uses within the Zoning Ordinance as proposed, specifically that all new building, remodelings, Site Plan Reviews, and Special Use Permits, which will still be required for the on-sale alcohol uses, will be required to go through a new and additional design review. A committee will be formed composed of two Planning Commission members, two members of the Planning and Development Department staff, and one member of the Office of Business Development staff. All the criteria of the Downtown Centennial District are still in effect. Those types of design standards include 70% building street wall alignment to the sidewalk, articulation on roof lines and cornices, articulation of the main entry, prohibition of blank walls, and the visual expression zones which include changes in material, color and/or relief.

At the request of the Chairman of the Planning Commission, an additional condition is being proposed. It would include additional authority within the Design Review Committee to adopt specific district design guidelines to which agreement must be made by a legally formed owners association or improvement district prior to approval of all projects pursuant to this ordinance. This dovetails with the requirement of a companion bill, which will be going forward to the City Council on 8/21/2002. That bill entails changes in the licensing requirements for this area to change the fees involved with liquor licensing and also the annual repayment of fees for on-sale liquor licenses within the licensing code. That allowance for special licensing requirements will also be dictated upon the formation of the owners association or special improvement district before property owners will be allowed to take advantage of that provision.

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MINUTES – Continued:

Therefore, this proposed change is appropriate in that the companion bill also requires the formation of this type of district to insure that the property owners within this area buy in to these requirements and agree to have a financial participation in the maintenance and security within this district.

STEVE VAN GORP, Office of Business Development, explained that last winter staff proposed the creation of an Entertainment District on East Fremont Street. There are several areas throughout the country that have similar districts, such as West Palm Beach, Gas Lamp District in San Diego, French Quarter in New Orleans, Beale Street in Memphis, and Greenwich Village in New York City.

Tourists don't seem to cross Las Vegas Boulevard to leave the safety of the Fremont Street Experience. In addition, staff noted that there was an inventory of under-utilized older buildings that once had some interesting architectural character, but have been neglected.

Staff felt redevelopment of the area could be accomplished simply by lifting restrictions and granting new entitlements, which would be of no cost to the taxpayers. The area is zoned C-2 (General Commercial) so a tavern or club cannot go into that area. At the present time, there are convenience stores, tattoo parlors, t-shirt shops, etc. The area has become overrun with crack dealers and prostitutes. There are abandoned buildings and others are poorly maintained. There are vacant lots and unused parking lots.

On 3/20/2002, the City Council instructed staff to work with the property owners to see if there was sufficient interest to form the district. In this district, there are 43 parcels with 25 different owners. Staff has conducted three meetings, invited all the property owners, and met with every individual owner. A great majority of the owners support the formation of the district. Many see the opportunity to recycle their buildings for higher and better uses that will generate greater rents or present the opportunity to sell for a nice profit.

During this time staff, has worked with the Metropolitan Police Department. Metro has identified this six block area as a primary target area within the downtown area command. Metro also supports the formation of the district and will work with the owners to improve the area. As of last week, Metro has made 350 arrests within this area over the last six weeks. Metro has had a Weed and Seed Program in this area for several weeks and will continue that for three years with federal funding. The area is patrolled by foot and bike.

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MINUTES – Continued:

There are major local and national club owners waiting for this ordinance to pass. Jazz lovers, record producers, a radio station, etc. want to get into this district.

This will be a district within Title 19A.06.120. Staff is proposing to waive parking requirements for this area. There will be a design review committee to fast track design applications and the creation of a limited tavern license for the district at a reduced fee that will be \$20,000, not \$60,000 as it is at the present time, and will be transferable only within the district.

There will not be any gaming. The focus will be on music, food, and entertainment. The goal is to have a walkable district. Every owner wanting to rent to a musical venue would still need a Special Use Permit. Every operator would need to secure a special license with a background check. In exchange for granting entitlements and lifting restrictions, the owners must form an association and work with the City to form a Business Improvement District. The association, owner or operator must submit and follow a business security plan, a sidewalk streetscape maintenance plan and budget. If the owners do not take advantage of this offer from the City, over the next year or two, the district will sunset. Any existing clubs will be grandfathered.

The Planning Commission is being requested to recommend the following to the City Council:

1. To create an Entertainment District.
2. To lift the distance separation.
3. To lift the parking requirements.
4. To establish a Design Review Committee.

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MINUTES – Continued:

ARTEMUS HAM appeared in support of this proposal and said his family owns several properties in this subdivision. In addition, he has been asked to form a property owners association. There have been meetings with the property owners. He was unsure of the positions with all the property owners. Everyone has the same goal and that is to have their property worth as much money as possible, to see this area cleaned up, and do what is best for the City of Las Vegas. The main concern is safety. The property owners have voiced their concerns in regard to safety and gaming.

ATTORNEY BOB OLSON, Beckley Singleton, 530 Las Vegas Boulevard South, appeared as counsel for Exber, Inc., owner and operator of the El Cortez Hotel and Casino. As a general rule, the El Cortez supports this ordinance. This ordinance states the parking requirements shall not apply. The El Cortez owns the majority of the parking space in the center of this district and is concerned that a waiver of any parking requirements may fall primarily upon the El Cortez. The El Cortez would like the parking requirements to be addressed on a case-by-case or applicant-by-applicant basis. Prior versions of this ordinance stated that the parking requirements *may be waived*. That language was replaced with the phrase *shall not apply*. The El Cortez would support *may be waived*. The El Cortez is concerned that if it is not changed, the hotel will lose its right to be heard on that issue in the future. More importantly, it will tie this Commission's hands and the Design Review Committee from examining parking issues.

TODD FARLOW, 240 North 19th Street, appeared in approval. Something has to be done in this area.

CHRIS CHRISTOFF, 335 West Cincinnati Street, appeared in protest. The Neonopolis is losing money each month. This will increase the drug traffic. He wants businesses that will bring people into the area. Some of the property owners will support this ordinance and some will not. He was also concerned as to whether there will be topless clubs. CHAIRMAN GALATI clarified that this area is not zoned for sexually-oriented businesses and this ordinance will not change that requirement.

MR. VAN GORP verified that the zoning will not allow any sexually-oriented businesses and this ordinance is not proposing any adult entertainment.

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MINUTES – Continued:

MARGO WHEELER added that the language in the proposed ordinance as prepared in draft form by the City Attorney's Office states that the Special Use Permit may include conditions designed to mitigate any impacts related to parking. Therefore, within the ordinance it indicates that in review of the Special Use Permits within this area, parking shall be considered.

COMMISSIONER EVANS felt this is a terrific idea. This area is blighted. If video poker bars are created the people will not be socializing.

COMMISSIONER QUINN added that there is another similar area at Division and Rush Streets in Chicago. Parking is expensive in some cities throughout the country.

COMMISSIONER GOYNES felt this is the type of project that should go into the downtown area. If this is done correctly, the bad element would tend to leave the area.

COMMISSIONER McSWAIN added that a lot of people think the downtown area has taken a long time to be upgraded.

COMMISSIONER TRUESDELL wondered if this is overrated. He was concerned this will not raise the bar. There needs to be a guarantee that the property owners are going to raise the bar. There is not a consensus amongst the property owners to approve all the stipulations in this ordinance. More questions need to be asked involving this ordinance. This could be a good solution for this area, but it has been pushed along too quickly. He did not think everyone wants to become involved with this plan.

COMMISSIONER McSWAIN said she was of the understanding that part of this ordinance would encompass a business agreement for downtown. MS. WHEELER responded that many of the issues that COMMISSIONER TRUESDELL commented on were the crux of the meetings with the property owners. No licenses will be issued pursuant to this ordinance until there is a legal formation of an association within this area. The only benefit that is being proposed from the City is the elimination of some requirements, not a financial commitment.

COMMISSIONER BUCKLEY commented that at the last meeting, there were some property owners who planned to upgrade their houses on North 7th Street. That is what will make downtown great. MS. WHEELER said staff met with those homeowners after the Planning Commission meeting and prepared an ordinance to address their needs.

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MINUTES – Continued:

COMMISSIONER EVANS felt this ordinance should be moved forward.

CHAIRMAN GALATI commented that initially he was concerned about design. However, he thought all the property owners were in agreement with this ordinance. This is being pushed through too fast.

MS. WHEELER added that the City wants to make known to the property owners its commitment and provide an incentive for those owners to form an organization. If the association is not formed within a year, the ordinance would be discontinued.

MR. VAN GORP objected to tabling this item after COMMISSIONER BUCKLEY made a motion to table. The Property Owners' Association and the Business Improvement District would have to go before the City Council.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(8:54 – 9:53)

2-2226



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 8, 2002

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

TODD FARLOW, 240 North 19th Street, said the Regional Transportation Commission would like to have an additional sales tax on the next election. There is a supplement in the Senior Press that explains the reasons for that tax. The reasons they give are good. They need to complete the Beltway and widen roads to get the cars running up to speed so there is less pollution when the cars are stalled. The problem is that the Nevada Department of Transportation feels the roads will be obsolete before they are constructed. There needs to be a cushion in case of an emergency and the bond issue reaches its maximum. The casinos and developers are never going to pay their way. The sales tax is the most regressive tax there is. Basically, the poorer parts of town will be subsidizing the wealthier and newer parts of town. Secondly, instead of three lanes of traffic, there will be five or more lanes of stalled traffic. That smog goes into the lower basin. The residents in the poorer parts of town want the monorail written into the same issue. The figure at the present time is 2.7 billion dollars. If two billion dollars was put into this proposal, the Federal Government would match \$3 or \$4 to \$1 on a mass transit system. That would get the city up and running. RTC states they are going to solve the mass transit problem by buses, but wealthier people do not ride on a bus; however, they will get on a monorail. He urged everyone to send the RTC back to the drawing boards. If the transfer station for the monorail is located downtown that would draw people into the downtown. The City's Strategic Plan addresses the monorail.

MEETING ADJOURNED AT 12:46 A.M.

Respectfully submitted:

DOREEN ARAUJO, DEP UTY CITY CLERK

LINDA OWENS, DEPUTY CITY CLERK